

Yale SCHOOL OF MEDICINE

Occupational and Environmental Medicine

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February 14, 2018

To: Attorney David Rosen and Associates, PC
400 Orange Street
New Haven, CT 06511
Tel: 203-787-3513

Re: Church Street South Apartment Complex Residential Exposures and Health Outcomes

I have been asked to comment on the health of Church Street South apartment residents and whether exposures related to Church Street South housing complex contributed to the residents reported medical conditions. This report is based on my review of the documents provided, the relevant medical literature, and my substantial clinical experience and expertise in environment and work-related lung diseases, in particular environmental asthma.

Documents that I have reviewed include: Church Street South Tenant Questionnaire data summary, 2008-2015 Department of Housing and Urban Development (HUD) Inspection Reports of the Church Street South Apartment Complex, Robert Klein's report on the Church Street South Apartments, and City of New Haven Livable Cities Initiative Inspection Reports.

Qualifications:

My CV is attached. Briefly, I am Director of the Yale Occupational and Environmental Medicine (OEM) Program, Professor of Medicine (Pulmonary and Critical Care and OEM, Department of Medicine) at Yale University School of Medicine, and also Professor of Epidemiology, Department of Environmental Health Sciences, Yale School of Public Health. I am a physician who is board-certified in Internal Medicine, Preventive Medicine / OEM, and Pulmonary Diseases, and also Director of the Yale Preventive Medicine / OEM physician training program. The primary focus of my clinical practice and research is environmental and work-related asthma and airways disease. I have over 25 years of clinical experience as a pulmonary and occupational and environmental medicine disease specialist evaluating patients who live and work in the New Haven area.

I am nationally recognized for my expertise in environmental and workplace exposures and respiratory health effects. I have served on numerous advisory boards and committees, including: Chair of the Environmental, Occupational and Public Health Assembly and Board of Directors of the American Thoracic Society, the National Academy of Sciences, the Institute of Medicine, the U.S. Food and Drug Administration (Pulmonary-Allergy Advisory Committee), the U.S. Environmental Protection Agency, the U.S. Department of Labor, and numerous CDC-NIOSH and NIH study sections and review committees. I am the recipient of a number of NIH, CDC and private foundation research grants and awards related to environmental and occupational diseases, and

have authored over 130 peer-reviewed publications. I am also co-editor of a major textbook in the field, the Textbook of Clinical Occupational and Environmental Medicine.

Summary of Information:

Tenant Questionnaires

The Church Street South Tenant Questionnaires contained information on 268 residents who lived in 118 apartments at the Church Street South complex from 2008 through 2015. The complex contains approximately 300 apartments in 22 similar buildings. The questionnaires included self-reports of various exposures and health conditions experienced by residents while living at the Church Street South complex. Residents were also asked about temporal relationships of their condition to living at Church Street South. A parent or head of household responded for children. Data extracted from these questionnaires was provided, summarized in Tables 1 and 2. Questionnaires were completed on 98 adults (mean age 37.7 yrs) and 170 children (mean age 10.8 yrs). The average size of the households was 2.9 persons. The average years lived at Church Street South was 6.3 years, with some families living in more than 1 apartment. The 118 apartments and households were distributed throughout all 22 buildings.

The medical conditions reported by the Church Street South residents are summarized in Table 1 below. Asthma was recorded if the respondent reported that a physician had diagnosed asthma (physician-diagnosed asthma). Other conditions were based on self-reports. The most common medical condition reported in the 170 children was physician-diagnosed asthma, present in 48%. Other respiratory conditions (41%), skin problems (47%), and emotional distress (45%) were also commonly reported in the children. Of the 104 children with physician-diagnosed asthma and/or other respiratory conditions, onset or worsening of the condition while at Church Street South was reported in almost all (98%). Improvement in physician-diagnosed asthma and/or other respiratory condition after leaving Church Street South was reported in 66% of the 104 children.

Among the 98 adult residents of Church Street South, respiratory problems were also very commonly reported. Thirty-six (37%) reported physician-diagnosed asthma, 58% reported other respiratory problems, 33% reported allergies and 45% reported sinus problems. Emotional distress (85%), depression (73%), anxiety (70%) were also commonly reported. Of the 66 adults with physician-diagnosed asthma and/or other respiratory conditions, all 66 (100%) reported onset or worsening of the problem(s) while at Church Street South and 49 of the 66 (74%) reported improvement after leaving Church Street South.

Information regarding Church Street South apartment complex

Table 2 provides a summary of the resident reported hazards present in the Church Street South apartments. In describing the conditions at Church Street South, the residents reported that 93% of the 118 apartments had visible mold, and 85% had water intrusion or leaks. Other deficiencies reported for the majority of apartments included: structural damage, pests, electrical and heating problems, and issues with plumbing and sewage backup.

The Department of Housing and Urban Development (HUD) and other available inspection reports were summarized in detail by Mr. Robert Klein, and also reviewed by me. Of note, HUD inspected all 22 multi-family residential buildings at Church Street South and 282 of the approximately 300 units from 2008 to 2015. Over 50% of the inspected units had evidence of water intrusion and/or mold at the time of inspection. Most of the inspected units also had evidence of other health and building code deficiencies.



Church Street South Residents - Summary of Questionnaire Information			
	All (n=268)	Adults (n= 98)	Children* (n=170)
Age (mean)	20.6	37.7	10.8
Women (number; %)		92 (94%)	
Household size (mean; range)	2.9 (1-8)		
Years lived in Church Street South (mean; range)	6.3 (0.2-46)	8.5 (0.8-46)	5.1 (0.2-16)
Medical Conditions** (number; %)			
Allergies	75 (28%)	32 (33%)	43 (25%)
Asthma - physician diagnosis	117 (44%)	36 (37%)	81 (48%)
Other Respiratory Problems	127 (47%)	57 (58%)	70 (41%)
Asthma and/or other Respiratory Problems	170 (63%)	66 (67%)	104 (61%)
Sinus Problems	89 (33%)	44 (45%)	45 (26%)
Headaches	104 (39%)	56 (57%)	48 (28%)
Skin Problems	115 (43%)	35 (36%)	80 (47%)
Anxiety	128 (48%)	69 (70%)	59 (35%)
Depression	121 (45%)	72 (73%)	49 (29%)
Emotional Distress	159 (59%)	83 (85%)	76 (45%)
Those with Asthma and/or Respiratory Problems***	n=170	n=66	n=104
Onset / Worse while at Church Street South	168 (99%)	66 (100%)	102 (98%)
Improvement away from Church Street South	118 (69%)	49 (74%)	69 (66%)
*Children are < 21 years of age on 1/1/2018			
**Self-reported			
***Change in respiratory symptoms reported in those with asthma and/or other respiratory problems			

Table 2: Exposures Reported by Church Street South Residents (n=118 Apartments)	
Exposures Reported	Number of Apartments (%)
Mold	110 (93%)
Water intrusion/Leaks	100 (85%)
Structural Damage	106 (90%)
Pests	82 (69%)
Electrical/Heat	74 (63%)
Plumbing/Sewage Backup	96 (81%)



Conclusions, Discussion and Supporting Literature:

Based on the information which I have reviewed and summarized above, the published medical literature, my substantial expertise on the impact of environmental and occupational exposures on human health, and my many years of clinical pulmonary and OEM practice in New Haven CT, my major conclusions, on a more probable than not basis, regarding the health of Church Street South apartment residents and the impact of living in the Church Street South complex are as follows:

1) The prevalence of physician-diagnosed asthma reported by residents of Church Street South residents is very high, even when taking into consideration various sources of bias (selection, reporting) and considering racial/ethnic and socioeconomic differences in asthma prevalence. The prevalence of other reported respiratory and health conditions, such as sinus problems, skin problems, anxiety and emotional problems also appears to be higher than would be expected.

2) Problems with water leaks, water intrusion, leaking pipes, dampness and visible mold, and other hazards were pervasive throughout Church Street South apartment complex, present in all 22 buildings, and likely present in almost all (if not all) individual apartment units.

3) The conditions present in the Church Street South apartments, including the pervasive water intrusion, dampness and mold, on a more probable than not basis, contributed to the markedly high prevalence of physician-reported asthma documented by the residents who lived in the Church Street South complex. The conditions present in the Church Street South apartments also contributed, on a more probable than not basis, to other respiratory and health problems reported by the residents.

The basis for these conclusions is discussed in further detail below.

1) The high prevalence of asthma

Physician-diagnosed asthma was reported in 44% of all Church Street South residents with questionnaire data, in 37% of the adults and 48% of the children. This is a markedly high prevalence of asthma. It is recognized that several factors could bias these results. The 268 residents who completed the Tenant questionnaires may not be representative of the full group of persons who lived in the Church Street South complex. Information on all of the residents of the Church Street South apartments would provide greater clarity.

It is also recognized that self-reporting of medical conditions can lead to incorrect diagnoses and also over reporting of conditions, and that a thorough individual medical assessment could provide greater diagnostic accuracy. However, a report of physician-diagnosed asthma is considered a reliable way to assess if a person has asthma and is widely used, including by the U.S. Centers of Disease Control (CDC) and the State of CT, to estimate asthma prevalence. Questionnaire data and a report of physician-diagnosed asthma are also used extensively in published peer-reviewed epidemiology studies to establish the presence of asthma and evaluate causative risk factors. Thus despite the concerns regarding self-reported medical information, a diagnosis of physician-reported asthma is likely reasonably accurate in those who completed the Tennant Questionnaire, and can be used to assess asthma prevalence in this group of residents.

In comparing asthma rates it is important to recognize that reported prevalence rates for asthma vary considerably, depending on various factors, some inter-related, including age, sex, race / ethnicity, and socio-economic status. Based on the most recent CDC data available (2015), the prevalence of asthma in the United States for adults is 7.6% and for children is 8.4%, with higher asthma prevalence in the State of CT (adults 10.5% and children 11.7%). Of note, the asthma prevalence rates for New Haven County are actually lower than for all of CT (9.1% for adults and 12.1% for children). More detailed data on asthma prevalence in CT shows that asthma is more common in black children and adults (18.9%; 15.2% respectively), in Hispanic children and adults



(12.3%; 11.8% respectively) and in poorer communities (adults 12-16%; children 17-20%). (CDC and the CT Department of Public Health, *Health Indicators and Risk Behaviors in CT: 2015; Burden of Asthma in CT, CT 2012 Surveillance Report*).

A State of CT 2014 report on the prevalence of asthma in CT public school children (asthma based on parent or physician report of asthma, or evidence of asthma medications, or observed asthma symptoms) showed an overall prevalence of 13.9%, with New Haven Public Schools having an asthma prevalence of 14.6%. The reasons for higher reported rates of asthma in CT and in poorer communities are multifactorial, but older poorly maintained housing and related home indoor exposures is considered an important factor.

Thus, considering available comparable data, the prevalence of physician-diagnosed asthma reported in Church Street South residents (overall 44%), is remarkably high for adults (37%) and children (48%), even taking into account the potential biases and other risk factors noted above.

Similar detailed prevalence data is not readily available for the other conditions commonly reported by Church Street South residents, such as sinus problems, other respiratory problems, headaches, anxiety and depression, but it is notable how frequently these conditions, many of which are known to co-exist with asthma, were reported.

Also notable from the questionnaire was the temporal relationship between living in Church Street South and asthmatic or other respiratory symptoms. Of those who reported physician-diagnosed asthma, the majority (69%) reported improvement when moving out of Church Street South.

2) Conditions at Church Street South Complex

As well documented by others, it is clear that water leaks, water intrusion, leaking pipes, dampness, and visible mold growth were observed in numerous apartments throughout the Church Street South housing complex by several independent groups over many years. Water and mold problems were pervasive and clearly impacted numerous apartment units throughout the complex for many years. The Church Street South Tenant Questionnaires, documenting that residents reported over 90% of the apartments had visible mold, are consistent with the available reports and inspections.

These findings are particularly notable when I consider them in the context of the many 100s of individual home industrial hygiene and inspection reports I have reviewed and the many home and apartment visits I have done myself in over 25 years of clinical practice at the Yale OEM Clinic. We typically request such reports and/or do home visits ourselves, when evaluating patients that have been referred due to concerns that indoor exposures, most commonly mold and dampness, are contributing to their asthma, sinus problems, or other respiratory problems. In many cases such reports are not available and /or we also are unable to visit the relevant residence. The reasons are multiple, including the cost of an evaluation, the person has moved, or commonly with renters, the owner refuses and/or the renter is afraid of losing the apartment. Even when available, such reports and our site visits can fail to document problems such as water intrusion and mold, even when such problems exist, again for multiple reasons. Quick repairs prior to our announced arrival are common. Any single inspection occurs in a short time period and may not reflect conditions present prior to or after the inspection. We frequently depend on self-reported information regarding history of the building, such as reported water intrusions, broken pipes, and also on information, when available, on other areas of the building or adjacent structures.

Taken in this context, considering the many housing-related reports I have reviewed, and patients apartments and homes I have visited in the New Haven area, the high prevalence of independently documented water-related problems and visible mold found at the Church Street South complex, as well as other problems noted, is most remarkable. Also notable is the consistency of findings



across the many apartments and buildings in the Church Street South apartment complex and the similarity in findings over many years. These findings all support the conclusion that exposures related to mold, dampness and water damage were pervasive and present in the overwhelming majority of, if not all, apartments throughout the Church Street South complex and over many years.

3) The conditions at the Church Street South complex contributed to residents reported health problems.

The conclusion that the conditions present in the Church Street South apartments, including the pervasive water intrusion, dampness and mold, on a more probable than not basis, contributed to the markedly high prevalence of physician-reported asthma documented by Church Street South residents, and also likely to other respiratory and health problems is based on a number of considerations. As already discussed, the prevalence of asthma in the residents is much higher than would be expected, even considering potential biases. Also as discussed, pervasive problems at the Church Street South complex, including dampness and mold, have been well documented.

Other factors that support a causal association between the conditions at Church Street South is the temporal relationships noted between the residents asthma and other respiratory problems and living at Church Street South, an extensive medical literature on mold, dampness and other home factors, and also commonality of both exposures and health problems.

The residents of Church Street South reported a clear temporal association between their asthma and other respiratory health problems and living at Church Street South. Almost all (99%) reported onset or worsening of their asthma and/or other respiratory problems while living at Church Street South, and 69 reported improvement after moving away from Church Street South. While such questions can be subject to recall bias, such bias seems unlikely to fully explain such responses. One would also not necessarily expect improvement away.

There is an extensive medical literature documenting the adverse health effects of exposure to mold and dampness and inhabiting buildings with water intrusion problems. Multiple peer-reviewed published studies have shown that living in homes with mold, water damage, and/or indoor dampness significantly increases the risk of several medical conditions including asthma, upper respiratory infections, allergies, sinusitis, and asthma exacerbations (*Mendell, 2011; Jaakkola, 2013; Quansah, 2012; Park, 2004*). Mold exposure is also associated with reduced lung function in adults who do not have a history of asthma (*Hernberg, 2014*).

The medical literature and epidemiology studies have also shown that housing instability and household exposures to mold, pests, water intrusion and structural damage are associated with a range of diseases and poorer health outcomes, including greater anxiety and depression (*Tilburg, 2017; Simon, 2017; Sandel, 2017; Sandel, 2018*). In addition, asthma, anxiety and depression are commonly linked interacting conditions (*Han, 2016*).

It is recognized that asthma has multiple triggers and risk factors, including viral infections and exposures such as tobacco smoke, environmental allergens such as dust mites, mice, and outdoor air pollutants such as ozone and diesel exhaust fumes. Lack of access to medical care and noncompliance can also contribute to worsening asthma. Such exposures and factors are common and may explain in part the generally higher prevalence of asthma in some communities or asthma in certain individuals. However, I am not aware of any data demonstrating that Church Street South complex had higher levels of exposures such as ozone, diesel exhaust fumes or tobacco smoke compared to comparable populations in other areas of New Haven or Hartford, where the prevalence of asthma is much lower (around 10%). Also, access to medical care is less an issue in New Haven as in other parts of the US. Thus, based on available information, I can identify no



other more likely causative factors or explanation for the high prevalence of physician-reported asthma in the Church Street South residents.

Also relevant to the issue of what factors contributed to asthma in Church Street South residents is a qualitative study my group recently published on New Haven adult asthmatics followed at Hill Health Center (*Harris et al 2017*). The goal was to identify asthma risk factors and challenges underserved adult asthmatics experience managing their asthma. 57% of the New Haven asthmatics lived in subsidized housing, 38% reported being fired from a job because of their asthma, and 82% reported home problems, most commonly mold (47%), water leaks (41%) and mice (59%). Of note, record review showed only 10% had any documentation in their medical chart regarding their housing-related exposures. The three most common challenges described to addressing these environmental factors were: 1) lack of knowledge of about asthma triggers such as mold, 2) lack of awareness of legal rights or resources available to mitigate the adverse conditions, and 3) fear of retaliation from landlords and employers, including threats of eviction. Numerous participants commented on mold, symptoms associated with mold, and inadequate remediation (*Harris et al 2017; Table 3*). These findings support that dampness and mold can be important asthma triggers in New Haven residents, and that these residents face substantial challenges in addressing such problems.

Also relevant to Church Street South residents, is the standard recommended approach used by occupational and environmental medicine physicians when assessing causality due to environmental or work exposures. We routinely evaluate whether others with similar exposures also have similar health problems. For example, when a teacher with asthma is referred to assess whether work at a specific school caused his or her asthma, it is important to assess possible causative exposures at the school and any other contributing factors. In addition, knowing, for example, that 30 out of 100 other teachers also reported asthma related to the same school would be important additional information to help assess causality. Similarly in assessing causality in individual Church Street South residents, it is important to evaluate such individuals in the context of what is known about the conditions and exposures in the Church Street South complex and also the other Church Street South residents. It should also be noted that it is very common that cases of asthma caused by environmental and work exposures go unrecognized and undocumented by the patient's regular medical providers, even when others in the same environment have the same problem, as affected individuals commonly are evaluated by different providers, and clinically asthma triggered by an exposure such as mold is indistinguishable from asthma triggered by other exposures or factors.

Thus together all of the information above supports my conclusion that the conditions present in the Church Street South apartments, including the pervasive water intrusion, dampness and mold, on a more probable than not basis, contributed to the markedly high prevalence of physician-reported asthma documented by the residents who lived in the Church Street South complex. The conditions present in the Church Street South apartments also contributed, on a more probable than not basis, to other respiratory and health problems reported by the residents.

Please let me know if I can be of further assistance.

Sincerely,



Carrie A. Redlich, MD, MPH
Director, Yale Occupational and Environmental Medicine Program
Professor of Medicine, Pulmonary and Occupational and Environmental Medicine
Professor of Epidemiology, Dept of Environmental Health Sciences
Yale School of Public Health



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CURRICULUM VITAE

Date of revision: February 9, 2018

Name: Carrie Redlich, M.D., M.P.H.

Position: Professor, Department of Medicine

School: Yale University School of Medicine

Education:

B.A. Williams College, 1978

M.D. Yale University School of Medicine, 1982

M.P.H. Yale University School of Medicine, 1988

Career/Academic Appointments:

1982-83 Resident, Dept. of Surgery, Yale University School of Medicine, New Haven, CT

1983-86 Resident, Dept. of Medicine, Yale University School of Medicine, New Haven, CT

1986-87 Fellow, Occupational Medicine, Yale University School of Medicine, New Haven, CT

1986-87 Graduate Student, Yale University School of Public Health, New Haven, CT

1987-90 Fellow, Division of Pulmonary and Crit Care Med, and Dept. Envir. Health, Univ. of Washington, Seattle, WA.

1990-96 Assistant Professor of Medicine, Yale University School of Medicine, Occupational and Environmental Medicine (OEM); and Section of Pulmonary and Critical Care Medicine, New Haven, CT

1990-Present Staff Physician, Yale-New Haven Hospital, New Haven, CT

1996-2004 Associate Professor of Medicine, Yale University School of Medicine, Yale OEM Program; and Section of Pulmonary and Critical Care Medicine, New Haven, CT

2004-Present Professor of Medicine, Yale University School of Medicine, Yale OEM Program; and Section of Pulmonary and Critical Care Medicine, New Haven, CT

2016-Present Professor of Epidemiology, Yale University School of Public Health, Department of Environmental Health Sciences, New Haven, CT

Administrative Positions:

2010-17 Co-Director Occupational Health Services, Norwalk Hospital

2011-Present Director, Yale Occupational and Environmental Medicine Program

2013-Present Yale-YNHH OEM fellowship / Preventive Medicine Residency Program Director

2013-Present Director, Clinical Services, Yale Occupational and Environmental Medicine Program

Licensure and Board Certifications:

State of Connecticut, 1984 (#025863)

State of Washington, 1986 (#252-09-0024803)

Drug Enforcement Agency License (#AR3011323);

State CT Controlled Substance License (CSP.18942)

Diplomate, National Board of Medical Examiners, 1984

American Board of Internal Medicine, Internal Medicine, 1986 (#107865)

American Board of Preventive Medicine; Occupational Medicine, 1990 (#22642)
American Board of Internal Medicine, Pulmonary Subspecialty, 1990(#107865)
Re-certification, 2002

Professional Honors & Recognition:

2014-15 Drexel University Executive Leadership in Academic Medicine Fellowship
2014 ConnectiCosh Irving J. Selikoff Award
2012 NIOSH Alice Hamilton Award Honorable Mention, Education and Guidance Category
2007 Michigan Industrial Hygiene Society Best Paper Award
2001-12 Best Doctors in New York, Pulmonary Medicine: Occupational and Environmental Lung Diseases, New York Magazine
2000-10 NIH:NIEHS K24 Midcareer Award
1997-00 ALA Clinical Investigator Award
1995-99 NIH:NHLBI Clinical Investigator Award
1993-95 VA Associate Investigator Award
1992-95 Donaghue Foundation New Investigator Award
1989-91 American Lung Association, National Research Fellowship Award
1982 MD, cum laude Yale University School of Medicine
1978 BA, magna cum laude with highest honors, Williams College
1977 Phi Beta Kappa, Williams College

Grant History

Current Grants

Agency: CDC/NIOSH

1 T01 OH008607-08

Title: "Training of Occupational and Environmental Medicine Physicians"

PI: Carrie Redlich, MD

Project Period: 7/16-6/21

Agency: State of Connecticut Occupational Medicine Clinics

Title: "State of Connecticut, Occupational Clinics Bill"

PI: Carrie Redlich, MD

Project Period: 7/16-6/17

Agency: Heinz Endowments

Title: "Airborne exposures and health effects related to natural gas compressor stations located in residential communities: community-based participatory research"

PI: Carrie Redlich, MD

Project Period: 6/16-5/18

Agency: CDC/NIOSH

1R01OH010941-01A1

Col. Carrie Redlich, MD

Title: "Deciphering Occupational Asthma Pathogenesis Caused by Isocyanate"

Project Period: 4/16-3/20

Past Grants

Agency: NIH/NIA
R01 AG02629-06 (Stanford University Subaward)
Title: "Disease, Disability, and Death in an Aging Workforce"
PI subcontract: Carrie Redlich, MD
Project Period: 7/11-6/16

Agency: NIOSH/CDC
1-R01-OH-009939-01A1 (**Co-I**) (Stanford University Subaward)
Title: "Occupational Exposure to PM_{2.5} and Cardiovascular Disease"
Col: Carrie Redlich, MD
Project Period: 7/11-6/15

Agency: SIU Phase II Clinical Trial:
2R42ES018021
Title: "D-Methionine to reduce noise induced hearing loss"
Col: Carrie Redlich, MD
Project Period: 3/11-2/15

Agency: NIH-NIEHS 1R41ES018021
Title: "Biomonitoring Methylene Diphenyl Diisocyanate (MDI) exposure"
Col: Carrie Redlich, MD
Project Period: 5/12-7/15

Agency: NIOSH- 1 R21 OH010438-01A1
Title: "Biochemistry connecting glutathione and isocyanate asthma"
Col.: Carrie Redlich, MD
Project Period: 10/13-09/15

Agency: CDC/NIOSH R01 OH 009375-02
Title: "Isocyanate Skin and Air Exposure: Assessment and Control"
PI: Carrie Redlich, MD
Project Period: 9/09-8/14 (NCE) 2/28/15

Agency: CPWR OH 009762-02
Title: Assessment and Prevention of Isocyanate Exposures in the Construction Industry"
PI: Carrie Redlich, MD
Effort, 0.7 calendar months
Project Period: 10/09-9/14(NCE) 2/28/15

Agency: AOEC-Case Study in Environmental Medicine (CSEM)
Title: "Development of Evidence-Based Educational Material on the Health Risks of Indoor and Outdoor Contaminants in the Gulf Coast"
PI: Carrie Redlich, MD
Project Period: 2012-2013

Agency: American Chemistry Council Gift:
Title: "Transferability of aliphatic isocyanates"
PI: Carrie Redlich, MD
Project Period: 1/10-6/13

Agency: Air Force District of Washington
Title: "Surveillance and Prevention of Isocyanate Exposure during Air Force Applications"
PI: Carrie Redlich, MD
Project Period: 8//09-3/10

Agency: CPWR-NIOSH Pilot Grant
Title: "Isocyanate Exposures in the Construction Industry"
PI: Carrie Redlich, MD
Project Period: 3//09-2/10

Agency: Donaghue Foundation
Title: "Reducing Isocyanate Exposure in the CT Auto body Industry"
PI: Carrie Redlich, MD
Project Period: 7/06-6/09

Agency: NIH-NIEHS: K24
Title: "Program for Patient-Oriented Environmental Health Research and Training"
PI: Carrie Redlich, MD
Project Period: 12//05-11//10

Agency: CDC-NIOSH: R01
Title: "Health and Socioeconomic Consequences of Nonspecific Building Related Illness"
PI: Carrie Redlich
Project Period: 4//01-10//04

Agency: NIH-NIEHS: K24
Title: "Program for Patient-Oriented Environmental Health Research and Training"
PI: Carrie Redlich, MD
Project Period: 7/00 – 6/05

Agency: ALA Clinical Investigator Award
Title: "T Cells in the Pathogenesis of Isocyanate Asthma"
PI: Carrie Redlich, MD
Project Period: 1997-2001

Agency: Yale CCC
Title: "Effect of the CARET Intervention on Serum Carotenoids, Retinoids and Lipoproteins"
PI: Carrie Redlich, MD
Project Period: 8/96-7/97

Agency: NIOSH / NIH-NCI: RO1
Title: "Biomarkers of Disease and Vitamin A in Asbestos Workers"
PI: Carrie Redlich, MD
Project Period: 7/95-6/97

Agency: NIH-NHLBI: KO8
Title: "Vitamin A Modulation of Environmental Lung Injury"
PI: Carrie Redlich, MD
Project Period: 12/94 - 7/00

Agency: VA Associate Investigator Award
Title: "Characterization and Modulation of Radiation- Induced Lung Injury"
PI: Carrie Redlich, MD
Project Period: 10/93 - 9/95

Agency: Yale School of Medicine Dean's Young Faculty Award
Title: "Vitamin A Modulation of Environmental Lung Injury"
PI: Carrie Redlich, MD
Project Period: 7/93 - 6/94

Agency: Donaghue Medical Foundation
Title: "Characterization and Modulation of Radiation-Induced Lung Injury"
PI: Carrie Redlich, MD
Project Period: 9/92 - 8/95

Agency: NIH-NIEHS
Title: "New serodiagnostics for isocyanate exposure: A Major Cause of Occupational Asthma"
Col: Carrie Redlich, MD
Project Period: 4/09 -3/11

Agency: CDC-NIOSH R01
Title: "Longitudinal Studies of Isocyanate Asthma in Autobody Shops"
PI: Carrie Redlich
Project Period: 9/30/02-8/31/07

Agency: NIH-NHLBI: R01
Title: "Isocyanate Antigens and T-cells that Cause Asthma"
PI: Carrie Redlich, MD
Project Period: 5/8/02-4/30/06

Agency: NIH-NHLBI: R01
Title: "Human Lung γ/δ T Cell Populations in the Human Lung"
PI: Carrie Redlich, MD
Project Period: 9/01-8/05

Agency: NIH-NCI
Title: Fred Hutchinson, "CARET"
Col: Carrie Redlich, MD
Project Period: 6/99-5/00

Invited Speaking Engagements, Presentations Not Affiliated With Yale:

Professional Service

Peer Review Groups, Study Sections, Advisory Boards (member):

2016-present U.S. Department of Labor Advisory Board on Toxic Substances and Worker Health, Chair Part B Lung subcommittee
2016-present American Cancer Society, Peer Review Committee, Physician Training in Cancer Prevention Programs
2015-present Department of Veterans Affairs, Office of Research and Development, Executive Committee, CSP #595: Pulmonary Health and Deployment to Southwest Asia and Afghanistan
2015-present ATS-ERS Taskforce on the Occupational Burden Lung Disease, Co-Chair
2014-16 NIOSH - ATS Work Asthma Domain Expert Committee (WADE) to develop a Clinical tool for implementation in electronic medical records
2013-14 NIOSH / US Dept of Justice: James Sadroga 9/11 Health and Compensation Act, Occupational Health Consultant, Victims Compensation Fund
2013 Institute of Medicine, National Academy Sciences, Government Accountability Office Workshop on the World Trade Center Health Program List of Covered Conditions
2011-12 U.S. EPA, Science Advisory Board (SAB), Panel for the review of EPA's Toxicological Review of Libby Amphibole Asbestos
2012 NIOSH: External Review of Division of Respiratory Disease Studies, FSB
2013 NIOSH: Cooperative Research Agreements Related to the World Trade Center Health Program (U01) peer review panel
2011-13 Firmenich Co, Consulting Medical Experts Group, Consultant,

2010	NIOSH: External Review of TMBB/HELD Program: Chronic Inflammatory and Immune Diseases
2009-11	American Thoracic Society: Impairment and Disability: An ATS expert panel, Panel member
2008-11	Food and Drug Administration (FDA), Pulmonary Advisory Committee
2007-10	NIH – NIEHS: Environmental Health Sciences Review Committee
2006-08	National Research Council, National Academy Sciences: Beryllium Alloy Exposures, Committee Member, Co-Author
2005-12	American Chemistry Council Diisocyanate Panel - NIOSH Research Collaboration Program: Medical Surveillance Task Group, Consultant
2005-08	American College of Chest Physicians: Diagnosis and Management of Work related Asthma: An ACCP Evidence-based Clinical Practice Guideline, Panel member, co-author
2006-07	American Medical Association: Guides to Evaluation of Impairment and Disability, 5th edition, consultant, 2000-2001; 6 th edition, Consultant
2001-03	Institute of Medicine, National Academy Sciences: Gulf War and Health Committee Member
1999	NIH-NHLBI: Special Emphasis Panel Review: Retinoid Treatment in Emphysema
1997-02	CDC-NIOSH NORA: Cancer Research Methods Team, Member
1996-Present	Chubb Group of Insurance Companies: Consultant, teaching on health risks of new biomedical products, (through YOEMP)
1996 -00	CDC - NIOSH: Occupational Health and Safety Study Section, Member
1996, 01	NIH - GCRC: Special Emphasis Panel Review Committees,
1995-05	NIH - GCRC: Grant reviewer General Clinical Research Centers
1995-00	ATSDR: Dept of Health and Human Services, Peer Review Grant Process
1994	Institute of Medicine, National Academy Sciences, Committee to Advise National Library of Medicine, Toxicology and Environmental Health Information Program
1993	NIH - NCI / NHLBI: Working Group on Pulmonary Complications Related to Breast Cancer Therapy
1993	NIH - NCI / NIEHS: Review Committee for RFA "Biotechnology Transfer to Epidemiologic Studies: Molecular / Biochemical Epidemiology
1992	CDC - NIOSH: Special Training Grant Review Committee, adhoc, (1996,1999, 2004)

Journal Service:

Reviewer

American Journal of Industrial Medicine
American Journal of Respiratory and Critical Care Medicine
Chest
Journal of Allergy and Clinical Immunology
Journal of Occupational and Environmental Medicine
Lancet
European Respiratory Journal

Professional Service for Professional Organizations:

American Thoracic Society (ATS)

2016-Present	ATS Environmental Health Policy Committee
2013-15	ATS Board of Directors
2013-15	Chair, Environmental, Occupational and Population Health (EOPH) Assembly EOPH
2015-16	Nominating Committee Chair
2005-08	Planning Committee, Member, 1998-2008; Chairperson
2002-07	Nominating Committee Member
2006-07	Environmental Health Policy Committee, Member
1994-99	Program Planning Committee, Member, Chairperson

Association of Occupational and Environmental Medicine Clinics (AOEC)

2011-14 Board of Directors

Yale University Service:

University Committees

2014-Present Provost's Safety Committee Yale University

2012-15 Yale University School of Public Health, Provost's Standing Advisory and Appointments Committee

2012-14 Working Group on Personal Protective Equipment

2009-16 Yale School of Forestry and Environmental Studies, Provost's Standing Advisory and Appointments Committee

2003-06 Advisory Committee on Environmental Management (ACEM), Review of Green Fund Proposals

Medical School Committees

2015-present Committee on the Status of Women in Medicine

2014-15 Adhoc Task Force on Gender Equity

2011-14 Senior Faculty Allotment Committee

2010-11 Inquiry Committee, Allegation of Academic Fraud

2005-08 Brown-Coxe Funds and Fellowships Committee

Department of Medicine Committees

2015-Present Appointments and Promotions Committee

1999-12 Intern Selection Committee

1994-95 Appointments and Promotions Committee

Public Service:

2009-Present NHP (Neighborhood Health Project) – Clinic attending

1996-05 Eli Whitney Museum, Member, Board of Directors

1992-02 New Haven Youth Soccer Association, Member, Board of Directors, coach, girls' coordinator, coaching development

Societies:

Fellow, American College of Chest Physicians

Fellow, American College of Occupational and Environmental Medicine

Member, American Thoracic Society

Member, Association of Occupational and Environmental Clinics

BIBLIOGRAPHY:

Peer-reviewed Original Research/Scholarship

1. Skovby F, Kraus J, **Redlich CA**, Rosenberg LE. Immunochemical studies on cultured fibroblasts from patients with homocystinuria due to cystathionine beta-synthase deficiency. Am J Hum Genet 1982; 34: 73-83.

2. **Redlich CA**, Sparer J, Cowan D, Beckett W, Miller H, Cherniack M, Cullen M. Outbreak of Occupational Hepatitis--Connecticut. Morbidity and Mortality Weekly Report. CDC 1987; 36:101-102.

3. **Redlich CA**, Beckett WS, Sparer J, Cowan D, Miller H, Cullen MR. Liver disease associated with occupational exposure to the solvent dimethylformamide. *Ann Int Med* 1988; 108:680-86.
4. **Redlich CA**, West AB, Fleming L, True LD, Cullen MR, Riely CA. Clinical and pathologic characteristics associated with occupational exposure to dimethylformamide. *Gastroenterology* 1990; 99:748-57.
5. Omiecinski CJ, **Redlich CA**, Costa P. Induction and developmental expression of cytochrome P450IA1 mRNA in rat and human tissues: Detection by the polymerase chain reaction. *Cancer Res* 1990; 50:4315-21.
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7. Checkoway H, **Redlich CA**. Toxic exposures in the workplace: Early monitoring may prevent occupational disease. *Wash Pub Health* 1990; 8:29-30.
8. Cullen MR, Pace PE, **Redlich CA**. The experience of the Yale Occupational and Environmental Medicine Clinics with multiple chemical sensitivities, 1986-91. *Toxicol Ind Health* 1992; 8(4):15-19.
9. Cullen MR, Solomon L, Pace PE, Buckley P, Duffy T, McPhedron P, Kelsey KT, **Redlich CA**. Morphologic, biochemical and cytogenetic studies of bone marrow and circulating blood cells in painters exposed to ethylene glycol ethers. *Environ Res* 1992; 59:250-64.
10. Schwartz DA, **Redlich CA**. Biomarkers in occupational lung disease. *Semin Resp Med* 1993; 14:167-180.
11. **Redlich CA**, Delisser H, Elias JA. Retinoic acid inhibition of TGF- β -induced collagen production by human lung fibroblasts. *Am J Respir Cell Mol Biol* 1995;12:287-95.
12. **Redlich CA**, Blaner W, Carter D, Wirth J, Tanoue L, Cullen MR. Vitamin A chemoprevention of lung cancer: A short-term biomarker study. *Adv in Exper Med Biol*, 1995;375:287-95.
13. Brodtkin CA, Daniell W, Checkoway H, Echeverria D, Johnson, J, Wang K, Sohaehae R, Green D, **Redlich CA**, Gretch D, Rosenstock L. Hepatic ultrasonic changes in workers exposed to perchloroethylene. *Occup Environ Med* 1995; 52:679-85.
14. Cullen MR, **Redlich CA**, Beckett WS, Weltermann B, Sparer J, Jackson G, Ruff T, Rubinstein E, Holden W. Feasibility study of respiratory questionnaire and peak flow recordings in autobody shop workers exposed to isocyanate containing spray paint. *Occup Med* 1996; 46:197-04.
15. Cullen MR, **Redlich CA**. Significance of individual sensitivity to chemicals: elucidation of host susceptibility by use of biomarkers in environmental health research. *Clin Chem* 1995; 41:1809-13.
16. **Redlich CA**, Homer R, Smith B, Wirth J, Sparer J, Cullen M. Immunologic responses to isocyanates in sensitized asthmatic subjects. *Chest* 1996; 109:6s-8s.
17. **Redlich CA**, Grauer JN, Van Bennekum AM, Clever SL, Ponn RB, and Blaner WS. Characterization of carotenoid, vitamin A, and α -tocopherol levels in human lung tissue and pulmonary macrophages. *Am J Resp Crit Care Med* 1996; 154:1436-43.
18. **Redlich CA**, Rockwell S, Gao X, Kelley M, Elias JA. IL-11 enhances survival and decreases TNF production after radiation-induced thoracic injury. *J Immunol* 1996; 157:1705-10.

19. **Redlich CA**, Sparer J, Cullen MR. Sick building syndrome. *The Lancet* 1997; 349:1013-16.
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22. Mayne ST, **Redlich CA**, Cullen MR. Dietary vitamin A intake and prevalence of bronchial metaplasia in asbestos-exposed workers. *Am J Clin Nutr* 1998; 68:630-35.
23. **Redlich CA**, Anwar MS. Occupational asthma: keys to diagnosis and management. *J Respir Dis* 1998;19: 508-19.
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25. **Redlich CA**, Chung JS, Cullen MR, Blaner WS, Van Bennekum AM, Berglund L. Effect of long-term beta-carotene and vitamin A on serum cholesterol and triglyceride levels among participants in the Carotene and Retinol Efficacy Trial (CARET). *Atherosclerosis* 1999; 143:427-34.
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27. **Redlich CA**, Cain H, Wisnewski AV. The immunology and prevention of isocyanate asthma: a model for low molecular weight asthma. *Sem Resp Crit Care Med* 1999;20:591-99.
28. Liu Y, Sparer J, Woskie S, Cullen MR, Chung JS, Holm C, **Redlich CA**. Qualitative assessment of isocyanate skin exposure in autobody shops. *Am J Ind Med* 2000;37:265-74.
29. Wisnewski AV, Srivastava R, Herrick C, Xu L, Lemus R, Cain H, Magoski N, Karol MK, Bottomly K, **Redlich CA**. Identification of human lung and skin proteins conjugated with diisocyanate in vitro and in vivo. *Am J Resp Crit Care Med* 2000;162:2330-36.
30. Brodtkin CA, Moon JD, Camp J, Echeverria D, **Redlich CA**, Willson RA, Checkoway H. Serum hepatic biochemical activity in two populations of styrene-exposed workers. *Occup Environ Med* 2001;58:95-102.
31. Wisnewski AV, Cain H, **Redlich CA**. Human gamma / delta T-cell lines derived from airway biopsies. *Am J Respir Cell Mol Biol* 2001;24:332-38.
32. **Redlich CA**, Stowe MH, Wisnewski AW, Eisen EA, Karol MK, Lemus R, Holm CT, Chung JS, Sparer J, Liu YC, Woskie S, Appiah-Pippim J, Gore R, Cullen MR. Subclinical Immunologic and physiologic responses in hexamethylene diisocyanate-exposed auto body shop workers. *Am J Ind Med* 2001; 39:587-97.
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34. Herrick CA, Xu L, Wisnewski AV, Das J, **Redlich CA** and Bottomly K. A novel mouse model of isocyanate asthma showing allergic-type inflammation in the lung after inhaled antigen challenge. *J Allergy Clin Immunol* 2002; 109: 873-78.

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36. **Redlich CA** and Karol MH. Diisocyanate Asthma: Clinical Aspects and Immunopathogenesis. *Int Immunopharmacol* 2002; 2; 213-24.
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42. Wisnewski AV, Herrick CA, Liu Q, Bottomly K, **Redlich CA**. Human g/d T cell proliferation and IFN-g production induced by hexamethylene diisocyanate. *J Allergy Clin Immunol* 2003; 112:538-46.
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76. Lefkowitz RY, Slade MD, **Redlich CA**. Injury, Illness and Work restriction in merchant seafarers. *Am J Ind Med* 2015; 58:688-96.
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78. Lockey JE, **Redlich CA**, Streicher R, Pfahles-Hutchens A, Hakkinen PJ, Ellison GL, Harber P, Utell M, Holland J, Comai A, White M. Isocyanates and human health: Multi-stakeholder information needs and research priorities. *JOEM* 2015; 57:44-51.
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80. Cook JM, Sakr CJ, **Redlich CA**, DeLoreto AL. elevated blood lead levels related to the use of firearms. *JOEM* 2015; 57(10):e136-7.

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86. Wisnewski AV, Kanyo J, Asher J, Goodrich JA, Barnett G, Patrylak L, Liu J, **Redlich CA**, Nassar AF. Reaction products of hexamethylene diisocyanate vapors with "self" molecules in the airways of rabbits exposed via tracheostomy. *Xenobiotica*. 2017 Jun 1:1-10. doi: 10.1080/00498254.2017.1329569.
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89. Lefkowitz RY, **Redlich CA**, Slade MD. Injury, illness, and disability risk in American seafarers. *AJIM* R1 2018 Feb;61(2):120-129.

Editorials: Invited Editorials and Commentaries:

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91. **Redlich CA**. Environmental health: More controversy, little clarification. *Lancet* 1998; 352:(suppl iv) 9.
92. **Redlich CA**, Wisnewski AV, Gordon T. Perspective: mouse models of diisocyanate asthma. *Am J Respir Cell Mol Biol* 2002; 27:385-90.
93. Anthony VB, **Redlich CA**, Pinkerton KE, Balmes J, Harkema JR. NIEHS: 50 years of Advancing Science, Improving LUNG Health. *AJRCCM (American Journal of Respiratory and Critical Care Medicine)* 2016

Book Chapters / Reviews:

94. **Redlich CA**. Occupational liver disease. *West J Med* 1990; 152:76.

95. **Redlich CA.** Occupational Medicine, in Medical Diagnostics: A Pocket Companion. W.B. Saunders, Philadelphia 1992; 865-875.
96. **Redlich CA.** Occupational and Environmental Lung Disease. In: Matthay RA, Matthay MA, Weidemann HP. (eds). Annual Review of Pulmonary and Critical Care Medicine. W.B. Saunders, Philadelphia, 1993; 123-132.
97. **Redlich CA, Brodtkin CA.** Occupational Liver Disease. In: Rosenstock L, Cullen MR. (eds). Clinical Occupational and Environmental Medicine. W.B. Saunders, Philadelphia, 1994; 423-436.
98. **Redlich CA, Balmes J.** Occupational and Environmental Lung Diseases. In: George RB, Matthay RA, Light RW, Matthay MA. (eds). Chest Medicine 3rd ed, Williams and Wilkins, Baltimore, MD, 1995; 357-392.
99. **Redlich CA.** Does Vitamin A Prevent Cancer. Contemporary Internal Medicine 1995; 7: 29-36.
100. **Redlich CA.** Pulmonary Fibrosis, in Harper P, Schenker M, Balmes J. (eds). Occupational and Environmental Respiratory Disease, Mosby, St. Lois, 1996; 216-227.
101. Sood A, **Redlich CA.** Pulmonary Disability Evaluation. In: Parson P. (ed). Pulmonary and Respiratory Therapy Secrets, 1997; 323-326.
102. Sood A, **Redlich CA.** Domestic radon and lung cancer. Contemp Internal Medicine 1997; 9:5-9.
103. Silber A, **Redlich CA.** Lung Cancer in Women. In: Henrich J. (ed). Selected Women's Health Curriculum, Office of Research on Women's Health, NIH 1997.
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Exhibit J
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M. SAUD ANWAR, M.D., M.P.H., F.C.C.P.

FAUSTINUS C. ONYIRIMBA, M.D., F.C.C.P., M.R.C.P.

KAREN HALASAN, M.D.

SAIMA ANSARI, M.D.

Feb 7th, 2018

David Rosen and Associates
400 Orange St,
New Haven, CT 06511

Dear Attorney Rosen,

As per my conversation with one of your associates Alex Taubes, I wanted to share with you my medical opinion regarding New Haven Church Street South Housing Facility.

I am a pulmonary specialist who has been trained in Occupational and Environmental Medicine, and has a Masters in Public Health. I have been practicing pulmonary medicine for about 20 years in this area. My practice has involved looking at individuals with allergies, asthma and other complex pulmonary diseases and we have been able to look at the impact of indoor environment including home and workplace environment on an individual's respiratory conditions.

I have had chance to assess the details of the Church Street South, (an apartment complex located in New Haven,) US Department of Housing and Urban Development, (HUD) inspection results, along with industrial hygiene report from Feb 6th 2018 of Robert Klein from Yale School of Medicine, Occupational and Environmental Medicine Department.

In April of 2017, I have physically been able to visit various apartments at the Church Street South. This has allowed me to have a walk through and direct assessment of the environment issues that were seen in over 20 apartments in over 10 buildings.

Based on my information, the HUD inspections of 273 units of 23 buildings of Church Street South facility showed deteriorated project where 1015 incidents of house and safety violations were identified. There were 503 non life threatening violations and 512 incidents of life threatening violations, which included 67 incidents of inoperable smoke detectors. There were incidents where inoperable water heaters were identified, missing hand railing, damaged steps, blocked fire exits were identified. Water damages and interior mold and mildew were identified. There were serious problems in the walls from leaky roofs and windows as well as structural problems noted.

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I recall from my visit to the area to the various apartments on the 21st of April 2017, poor ventilation and multiple cracks that were raised in areas and they were painted over along with significant mold growths, there was substantial dust found in essentially every apartment. There were areas which changes that resulted in water and whether intrusion and secondary impact of chronic water accumulation. There was evidence of painting over the cracked areas that resulted in raised areas. It appeared lot of cover up attempt was made. There was insulation that was visible with mold over it in one of the apartments. It was just covered with the plastic. When the plastic was removed, the insulation was filled with mold. There was mold in the basement as well. The basement of the apartment connected with basement of the next door house. The rest room had lead pipes. There was clear evidence of ongoing water intrusion and water vapor problems. Mold was all across in the rooms. Basements were in much worse condition. They appeared clearly inhabitable.

There was clear evidence by direct visualization of presence of *Stachybotrys* all over some of the apartments. Ceilings and their sides of the rooms were impacted. There was lack of air movement and subsequent mold in the entire environment.

At this time, I have not been involved in direct care of any of the patients, but based on the survey of The Church St., South residents provided to me by David Rosen and Associates, residents did have problems with allergies, asthma and other respiratory problems with frequent exacerbations.

Based on my experience of individuals residing in environments with such indoor air issues and significant exposure to mold, dust and mildew he environments, they have a number of respiratory problems.

The presence of mold can lead to an irritant effect, allergic manifestations of the upper and lower airway, direct toxic effect of the mycotoxin's and the pathogenic effect on one or both hosts.

It is important to note that most Local Health Departments, State Health Departments, Environmental Protection Agency, Centers for Disease Control, American College of Chest Physicians, American College of Asthma and Allergy Immunology do recognize presence of mold as a set and a serious concern to the health of inhabitants. It is known that presence of mold in the environment can make individuals and families unwell.

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Based on my experience, the allergic conditions associated with the presence of mold include but are not limited to allergic rhinitis, postnasal drip, asthma, allergic conjunctivitis, dermatitis, chronic cough can easily be identified in the patients in such environment. It was quite clear in the environment where we can see and smell the mold. There were fairly discolored patches with musty odor with presence of moisture and water damage. It was on the walls, wall paper cabinets and other areas in most apartments.

The allergic diseases appear to be the main and most significant issue associated with the environment that I have read about and seen.

Another concern is the pathogenic affect on individuals from mold is usually seen in individuals with weak immune systems, individuals with underlying autoimmune diseases, patients with cancers, patients who will who have been receiving medications which can alter the immune system including chemotherapy medications as well as biologic agents used for autoimmune diseases, individuals with acquired or genetic immunodeficiencies are at higher risk of developing actual local and systemic fungal infections.

The large quantity of mold may also have a mycotoxin effect which can have a very significant impact depending on the amount of exposure an individual may entail. Some of these can be life threatening and can be associated with severe illness or unclear etiology but it is usually from the toxins that are emitted from the exposure.

The irritant affect of mold is also well recognized where some of the mold depending on its presence and amount can cause irritant affect on the airways, skin, eyes and site of exposure.

I am basing my assessment as a pulmonary physician who is trained in Pulmonary Critical Care Medicine and also Occupational and Environmental Medicine with 20 years of experience of direct patient care and management of patients impacted by indoor air. I am also using information from the reports based on the evaluation by HUD and the industrial hygiene report as well as my direct observation and walk through at the multiple apartments at the Church Street South Housing Complex.

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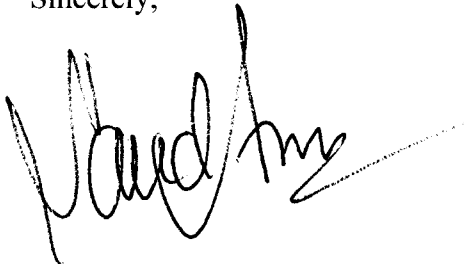
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It is my professional opinion that the indoor environment and the exposures of Church Street South residents are more likely than not the cause of the negative health impacts and illnesses of their upper airway, lower airways, including but not limited to the allergies, asthma and other irritant, mycotoxic and pathogenic manifestations.

Should you or anyone have any questions regarding this letter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Saud Anwar", with a long horizontal flourish extending to the right.

M. Saud Anwar, MD, MPH, FCCP
Chairman Department of Internal Medicine
Eastern Connecticut Health Network.
Specialist in Pulmonary Medicine
Specialist in Critical Care Medicine
Specialist in Occupational Environmental Medicine

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EXHIBIT K

FILED UNDER SEAL

EXHIBIT L

FILED UNDER SEAL

Exhibit M

**CHURCH STREET SOUTH
NEW HAVEN, CONNECTICUT**

OPERATIONAL AND DECOMMISSIONING PLAN

SEPTEMBER 15, 2015

**Church Street South
New Haven, Connecticut
Operational and Decommissioning Plan
September 15, 2015**

Situational Analysis

Constructed in 1968, Church Street South Apartments comprises 22 residential buildings and 15 out-buildings on a 13 acre parcel located at the intersection of Church Street, Union Avenue and South Orange Street in New Haven, CT. The property's apartment mix includes 24 5-BR; 19 4-BR; 151 3-BR; 102 2-BR; and 5 1-BR homes. 288 apartments are currently leased. Despite the large number of bedrooms, the average unit size is only 846 sf with 1,045 sf in the 4-BR units and 1,086 sf in the 5-BR units.

Twenty-four families from the Property have been temporarily relocated from their residences due to potential health and safety risks resulting from water infiltration and deteriorated unit conditions. At present, these families have been placed in local hotels and/or are living with friends or relatives and more relocations are anticipated (see Exhibit 1). HUD has given approval for up to 50 Section 8 Pass-Through Leases to accommodate the affected residents (see Exhibit 2), and the Owner has requested HUD's approval for at least an additional 50 Pass-Through Leases, which HUD has verbally agreed to and is in the process of formally approving. Owner is also exploring with HUD and the City of New Haven permanent relocation options to facilitate an orderly decommissioning of the Church Street South complex.

Functional obsolescence

The nearly 50 year-old structure is functionally obsolete. A number of factors contribute to its obsolescence, the more notable of which are as follows:

- **The building envelope** – the building wall structure is CMU block construction. The inside walls have one-inch Styrofoam insulating board against the CMU block with the interior sheetrock wall against the insulation. This construction, over time, makes the interior walls very susceptible to water infiltration due to its porosity, mortar joint deterioration and interior walls so closely abutting the CMU block. In addition, over time, CMU block construction can become structurally unstable as evidenced by some of the stairways throughout the complex.

- **Roofing** – while all roofs have been repaired and top-coated and three replaced during Northland’s seven year tenure (costing approximately \$1M to date) they still remain nearly 50-year-old structures covering obsolete floorplans surrounded by poor quality wall systems. It is anticipated that certain of these roofs will be replaced during the decommissioning period, but most can be adequately repaired in order to carry the decommissioning plan through the next 12 to 18 months. A roof assessment plan is in process and will become part of the decommissioning prioritization exercise.
- **Windows** – in excess of 100 windows have been replaced during the past seven years. However, the remaining windows (approximating 1,500) are single pane which, given the inadequate wall construction, are extremely susceptible to condensation resulting in dampness and the potential for mold and mildew to build-up around the window on the interior walls.
- **Plumbing** – the plumbing throughout the complex is also nearly 50 years old and is increasingly causing water infiltration. Numerous infiltration issues are a direct result of deteriorated piping behind the walls resulting in pinhole leaks and/or valve and connection failure. Short of ripping down the sheetrock in all of the units and replacing piping throughout, the plumbing will continue to cause infiltration and mold.
- **Bathroom exhaust** – all of the bathrooms are centrally located within the unit with no windows. This design basically “captures” moisture resulting in mildew build-up and, if not addressed immediately, surface mold. While they are equipped with exhaust fans the design of the venting system is such that several units are tied into one exhaust vent resulting in less-than-desirable venting efficiency as compared to an individual, direct-venting set-up. Furthermore, these fans are wired directly into the light switches so that when the lights are turned off the fan is also turned off. To properly exhaust these enclosed bathrooms of moisture the fan should stay on for a period of time after use. There is one bathroom in the 1-BR, 2-BR and 3-BR units and one and a half baths in the 4-BR and 5-BR units.
- **Site plan** – there are 22 residential buildings and 15 abandoned out-buildings scattered throughout the open-access, 13-acre parcel. This accessibility, combined with the numerous nooks, crannies and alleys throughout the site, inhibit site lines, invite low visibility congregation, and foster illicit activity and illegal dumping throughout the complex.

Based on the foregoing, the highest and best use for this property is its ultimate razing and redevelopment into a mixed income, mixed use transit oriented development. Any renovation or rehabilitation effort to the existing physical structures would be economically unfeasible and only result in a newer and cleaner looking, but still functionally obsolete, property.

It is worth noting that Northland has invested nearly \$5M (\$700,000 or 2,300 per unit per year on average) into the community- above and beyond normal repairs and maintenance - in an effort to prolong the long-term viability of Church Street South. This included roof and window replacements, exterior painting with an elastomeric paint designed to seal and eliminate water infiltration, stairway repairs, numerous interior replacements including cabinets, boilers, flooring and appliances, etc. Unfortunately, this capital infusion has merely slowed the long-term deterioration of the physical asset which was underfunded from the date of its original construction (with the number of units reduced from 400 to 301) and, as evidenced by the aforementioned issues, resulted in inferior building structures.

Short-term plan – Relocation of impacted residents and decommissioning of certain buildings

Based on the challenges facing the building structures and their obsolescence, it makes no economic sense to repair and/or replace the deficiencies in an ad hoc or piecemeal fashion or, for that matter, in their entirety. Furthermore, it would not be in the best interests of the residents as any meaningful reconstruction would be tantamount to new construction and be a long-term undertaking (i.e., years). This, in turn, would result in the ongoing inconvenience and disruption to the lives of the residents, a site plan that still invites criminal activity, and floor plans that are obsolete in their size and design. Any money invested for the benefit of the Church Street South families would be better spent in relocation costs to find them suitable, alternative housing.

Relocation of Impacted Residents:

The best approach for addressing the immediate situation is to identify the residents with any potential health or safety concerns in their units and locate alternative rental housing. We believe that the best and most efficient option for accomplishing this goal would be to empower the residents with 100% portable vouchers. However, it may be possible to accomplish the relocation through a combination of the HUD Section 8 Pass-Through Lease program and portable vouchers. In either scenario, we believe it will be important to utilize the Housing Authority of New Haven's ("HANH") relocation services.

Toward that end HUD has already approved the issuance of 50 such pass-through leases (see Exhibit 2) and is requesting an additional 50 more at Northland's request. Northland has also requested a proposal from HANH to provide resident relocation services (see Exhibit 3).

Next steps to executing the short-term relocation plan:

- Engage HANH to provide the requested relocation services
- Locate landlords in the New Haven market willing to accept the pass-through leases under the HUD program. Potential resources to identify those landlords include:
 - HANH
 - CHFA (Connecticut Housing Finance Authority)
 - HUD
 - Northland (already in contact with two landlords)
- Have HUD inspect and approve the identified housing units
- Begin the relocation effort immediately, beginning with those residents currently residing in hotels or with other family members.

Once the immediate pool of relocated residents have been relocated to suitable housing the relocation effort would continue for other Church Street South residents with the short-term goal of relocating 100 families ("First 100").

Decommissioning of certain buildings:

While the relocation effort for the First 100 is underway, a simultaneous effort will be in process (already begun) to identify those buildings that should be the first to be decommissioned and taken offline. This analysis will be based on several contributing factors including the following:

- Roofing assessment (underway)
- Structural considerations (i.e., CMU block stairways and steel lintels)
- Livable City Initiative (“LCI”) inspections and findings (see Exhibit 4)
- A summary and review of the last 3 years of workorder requests from residents involving water infiltration concerns (in process)
- Impending HUD REAC (scheduled week of 9/14 and 9/21)
- Input from existing management staff who have been onsite for several years (on-going)
- Geographic considerations (building location within complex and proximity to other buildings targeted for shut down)

This data will be overlaid and reviewed collectively to determine the most problematic buildings in order to prioritize which ones should be immediately decommissioned and shut down.

Once the prioritization has been established, any remaining residents within those buildings will either be relocated offsite (preferred option) or transferred onsite into less problematic buildings (“LPBs”).

The LPBs will be addressed so as to ensure they provide a safe and healthy environment for the remaining residents during the duration of this decommissioning period. This will include roof replacement where necessary or roof repairs to provide a 2 to 3 year window in which to execute the long-term plan outlined below. Likewise, any structural issues identified in the LPBs will be fixed and necessary repairs made to the interiors. However, any units in the LPBs that require the relocation of certain residents for any health reason, or have water infiltration issues, will have mitigation and remediation efforts performed - so as to eliminate the water source and stop the encroachment of mold to other units – but will not be reconstructed since the long-term goal is to permanently relocate the residents as reconstruction would be counter-productive.

Communication and public notice:

As soon as practicable, preferably immediately upon agreement in principal of the relocation plan for the First 100, we believe a collaborative public notice should occur demonstrating everyone's commitment to provide a clear path forward for the relocated and affected families and to mitigate false information and rumors. Those parties participating in this announcement should be identified and may include the City of New Haven (the Mayor, LCI and HANH), HUD, Northland, Alderwoman Colon, Congresswoman Rosa DeLauro and attorney Amy Marx. The format and content of this message should be agreed to quickly and a statement issued immediately thereafter. The announcement should also address upcoming resident informational meetings and a resident interview process/timeline (in conjunction with HAHN) upon schedules to be determined.

The sooner the community, the residents and the public are informed of a coordinated plan that all parties agree on, the sooner distrust and misinformation will dissipate. We – the City, HUD and Northland – need to take control of the information being disseminated in the news media and present a unified approach, in spite of individual agendas and missions.

We would strongly hope that such an announcement or press release can be agreed upon and issued by the end of this week.

Long-term plan – Relocation of all residents and decommissioning/demolition of all buildings

The goal is to relocate 100% of the residents and demolish all structures on the premises, with the ultimate goal of developing a transit oriented mixed income, mixed use development consistent with the Hill to Downtown Strategic Plan (which contemplates the replacement of the affordable units lost to demolition). We will also be willing to engage in discussions with HUD about a right to return for existing residents in connection with the redevelopment.

Toward this end, the short-term plan accomplishes two things – first and foremost it provides an immediate and necessary means to secure apartment homes for the currently relocated, and imminently relocated, pool of residents. Secondly, in so doing, it creates the flexibility to begin to execute the long-term plan in a manner that promotes the safety and well being of the residents, by consolidating them in the 175 (+/-) highest quality units in the community.

Northland is open to the strategic advice and assistance of HUD, LCI, HAHN, and CHFA to achieve the long-term goal of 100% relocation of all residents.

As we understand it, a few options that can be employed to further this objective include:

- Section 8 pass-through leases morph into permanent vouchers – eliminating the need for multiple moves and disruption to the lives of the initially relocated residents.
- Section 8(bb) program can be utilized to carve out significant portions of the HAP contract to a willing and capable landlord(s) – this would preserve the project-based vouchers on a significant portion of the existing HAP contract. (see Exhibit 5).
- Issue portable vouchers – this would empower the residents to make their own housing choices.

We would like to complete this relocation effort in as short a time frame as possible, ideally over the next 18 to 24 months. We understand it is a monumental undertaking, but believe with the constructive and collaborative spirit that we have witnessed over the past two weeks, and the assistance and cooperation of all parties utilizing a creative combination of the tools available, it can be done. We look forward to further developing this plan in conjunction and cooperation with all constituencies.

Thank you.

CHURCH STREET SOUTH

EXHIBITS

TABS

Exhibit 1 – Relocated Residents	<i>1</i>
Exhibit 2 – Request for Section 8 Pass-Through Lease	<i>2</i>
Exhibit 3 – Request for Proposal-Resident Relocation Services	<i>3</i>
Exhibit 4 – Summary of LCI Inspections and Findings	<i>4</i>
Exhibit 5 – Notice H-2015-03 (Section 8(bb))	<i>5</i>



City of New Haven

**ECONOMIC DEVELOPMENT
ADMINISTRATION
CITY OF NEW HAVEN
JOHN DeSTEFANO, Jr., Mayor**

165 Church Street, New Haven, CT 06510
Phone: (203) 946-2366 Fax: (203) 946-2391



KELLY MURPHY, AICP
*Economic Development
Administrator*

MEMORANDUM

To: Mayor DeStefano
From: Kelly Murphy
Date: 9/16/09
Re: Church Street South

In May 2009 LCI Residential License inspectors went out to inspect CSS units as part of the Residential License Program. This first inspection consisted of 33 units that produced 32 units that failed as well as exterior violations that were referred to the Building Department. Upon the second site visit inspectors attempted to re-inspect the 32 units (15 failed again and 17 were not granted entry) and inspected 31 new units (28 failed, 3 no entry). In addition, after the 6 exterior violations were referred to OBIE, inspectors went to the site who reported structural issues including deteriorated masonry block walls through out the complex caused by roof deferred maintenance and other components like missing and leaking downspouts. The damage compromises the structural integrity of the buildings and creates conditions for mold growth creating a public health and safety risk. Citations were issued that Northland promptly appealed.

Initially, we received a very poor response from Northland staff to issues of rodent/bug infestation and mold. They acknowledged they were aware of the issues but did not initially begin work to rectify the violations despite informing us that it would take 8-10 weeks to address. On June 29th I called in Peter Standish (Sr. VP and our point person on the Coliseum site) and Kate Moriarty (Regional Manager) from Northland and Maria DeMarco (their on-site management company) to discuss the situation and develop a plan of action to promptly address these concerns. We agreed that rodent and pest control in the units and around the complex would commence immediately. Roof work (top-coat, seal, scupper/leader cleaning, drain cover replacement, etc.) was to be completed on 18 of the 24 buildings in the complex. Mold/mildew inspection and abatement was subcontracted out to be completed in every unit by late August. In the same time frame, existing staff was to inspect the interior of every unit to repair/replace appliances, windows, screens, etc. Weekly progress reports have been sent to City staff since the first week in July. There has been some slippage in the schedule but the reports have shown consistent progress.

To date, in accordance with Article XIV Sec. 17-84 of the New Haven Code of Ordinances, the CSS site has accumulated \$45,000 in fines for units that have had housing code violations that were not remedied within the 30 days between the original and re-inspection date. After receiving official notice of the fines, Northland's response was to appeal the fines to the City's Hearing Officer. The hearing is scheduled for September 28, 2009. Of course, Northland and

DeMarco were upset about the fine and pushed to allow that money to be used for repairs but I indicated to them that it seems issuing a fine was the only way we were able to get Northland's attention to address these extensive violations. We have since learned that until June 2009, Northland was not making any investment in vacant units to bring them back online. The change of heart came as a result of a HUD Management Operating Review (MOR), a management audit of renting, screening and turn around processes for publicly supported housing. Northland was cited for not making any efforts to bring vacant units back online despite a 300 family waiting list at CSS. At that time, Northland authorized DeMarco to subcontract out the turn around of vacant units. Pending the outcome of this meeting, we will initiate an FOIA request for the MOR report as well as the CSS budget and rent collection information.

As of last Friday, Northland had pulled permits to address the issue of the structural integrity of the buildings entry points. OBIE staff was checking today to see if work has commenced. I should note that despite the health and safety risk their lack of maintenance has created, they are leaving open the possibility to re-visit the appeal they filed immediately after receiving Andy Rizzo's building violation notice.

We were under the impression that CSS was scheduled to have REAC inspections in August, however, because of HUD budgetary issues no inspection has been scheduled. We anticipate that once the new federal fiscal year starts, inspections will be scheduled. It is typical to have a first cut report on the inspections with two weeks.

According to HUD, if a project fails its REAC inspection the following will occur:

The Property Owner must address all health and safety violations within 72-hours. If not, HUD will permanently relocate the affected tenants and the money will be taken out of the existing Section 8 contract.

All other violations must be addressed prior to the next inspection.

It is hard to determine the financial health of Northland Investment Corporation since it is not a publically traded company. They do have a concentration of housing in Florida which has taken a beating more than most states in the residential housing market. Locally, we are aware that they lost the Preston project, they have backed out of a project in Milford to build 300+ units of housing, have closed the Goodwin Hotel in Hartford and have stalled other projects they were pursuing in Hartford (namely the redevelopment of the former YMCA building).



Andrew J. Rizzo, Jr.
Executive Director /
Building Official

CITY OF NEW HAVEN

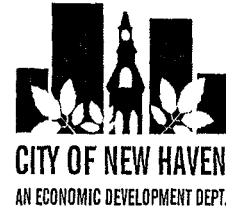
John DeStefano, Jr., Mayor

BUILDING DEPARTMENT

200 Orange Street

New Haven, CT 06510

Phone: (203) 946-8045 Fax: (203) 946-8049



Kelly Murphy, AICP
Economic Development
Administrator

January 20, 2011

Mr. Larry Gottesdiener
Chairman of the Board
Northland Investment Corporation
2150 Washington Street
Newton, MA 02462

By Facsimile (617) 965- 7101 and U.S. Mail

Re: One Tower Parkway, (AKA) Church Street South

Dear Mr. Gottesdiener:

As the Building Official for the City of New Haven, I write to Northland Investment Corporation as the owner of record of the above-referenced housing complex (the "Property").

On January 15, 2011 a significant carbon monoxide problem developed within a building situated on Dediego Court within the Property, as a result of faulty furnace exhaust. As a result, several residents became ill and fourteen (14) units in the building had to be immediately evacuated.

Inspections of a further 143 dwelling units carried out between January 16 -18, 2011 by the Livable Cities Initiatives' Housing Code Inspectors revealed that an additional 103 units contained faulty furnace exhausts. The remaining units in which the City was able to achieve access have now been inspected. I attach a schedule of the units which have been identified as having defective combustion systems (the "Affected Units"). On Wednesday January 19, Mr. Peter Standish, Senior Vice President of Northland was requested to notify all tenants of units that have not been inspected in order to secure the necessary access. As of the date of this letter, the City has still not achieved access to a substantial number of units

As you are aware, a meeting was held on the afternoon of January 18, 2011 at which I requested a plan to address this situation immediately. At 5:00 pm today, I received a plan by Northland which I deem to be unacceptable. In the short term, residents are not adequately protected by simply installing CO detectors and carrying out random testing. In the long term, it is unacceptable that the permanent remediation would take up to four months to be fully achieved.

Accordingly, since the mechanical defects in the exhaust systems have rendered the Affected Units unsafe per Section 115.1 of the Connecticut State Building Code (the "Code") causing a danger to the safety and welfare of the occupants, and pursuant to Section 116.1 of the Code, I am ordering the evacuation of all

the affected units until such time as said violations of the Code have been remediated to the satisfaction of the Building Department. Commencing this evening, I have requested a fire watch as a temporary safety measure until evacuation can be accomplished. Northland will be responsible for the cost of this fire watch.

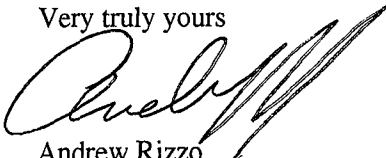
As the owner of the Property, Northland is responsible for remediation of the violations of the Code. I look forward to receiving a plan which addresses the deficiencies in the plan delivered to my office this afternoon. Please be aware that prior to commencement of any work, the plan of remediation must have the written approval of the Building Department. Re-occupancy of any evacuated units shall not be permitted until all approved remediation work has been completed and thereafter inspected and approved by the Building Department. In the meantime, Northland will be responsible for all costs of securing alternative accommodations for all occupants of the Property who must be evacuated.

You should also be aware that Northland will be responsible to reimburse the City of New Haven for any and all costs and expenses incurred by the City of New Haven in addressing this issue, which shall include (without limitation) all costs and expenses already incurred by the City of New Haven in temporarily relocating the existing evacuees, providing all necessary fire watches and police services. To the extent required, a lien or liens shall be placed on the Property in order to secure such costs and expenses.

I trust that the City of New Haven will receive your full and immediate cooperation in this matter and I look forward to working with you towards a prompt resolution of these serious life safety issues. I am sure that you share the concern of the City of New Haven as regards the overall quality of life of all residents at the Property.

If you have any questions, please do not hesitate to contact me at (203) 946-8046 or my cell phone number (203) 410-5169.

Very truly yours



Andrew Rizzo
Building Official

cc: The Honorable Rosa DeLauro
The Honorable John DeStefano, Jr.
Julie Fagan, US Department of Housing & Urban Department, Hartford Office
Steven P. Rosenthal, Chief Executive Officer, Northland
Peter Standish, Senior Vice President, Northland
Kelly Murphy, Economic Development Administrator
Victor Bolden, Corporation Counsel
Erik Johnson, Executive Director Livable City Initiative

NEW HAVEN IT ALL HAPPENS HERE

Mayor John DeStefano, Jr. www.infonewhaven.com

Church Street South Inspections

BUILDING NAME	UNITS	No Entry	Fail Improperly Vented	Pass Properly Vented
Inspection Summary All Units		123	117	44
* No Entry total includes 21 vacant units				
CHURCH STREET SOUTH				
	109A	1		
	109B		1	
	111A		1	
	111B		1	
	111C	1		
	113A	1		
	113B		1	
	113C			1
	115A	1		
	135A	1		
	135B	1		
	137A	1		
	137B	1		
	137C	1		
	139A			1
	139B	1		
	139C	1		
	141A			1
	141B		1	
	141C		1	
	143A			1
	143B			1
	143C			1
	145A	1		
	145B	1		
	145C			1
	147A			1
	147B		1	
	147C			1
	149A			1
JOSE MARTI COURT				
	1A	1		
	1B		1	
	2A	1		
	2B	1		
	2C			1
	3A	1		
	3B			1
	3C			1
	4A		1	
	4B		1	
	4C		1	
	5A		1	
	5B		1	

Church Street South Inspections

BUILDING NAME	UNITS	No Entry	Fail Improperly Vented	Pass Properly Vented
	5C		1	
	6A		1	
	6B		1	
	6C		1	
	7A	1		
	8A			1
	9A		1	
	9B	1		
	9C			1
	10A		1	
	10B			1
	10C			1
	11A		1	
	11B		1	
	12A	1		
MALCOLM COURT	1A		1	
	1B	1		
	1C	1		
	2A		1	
	2B		1	
	2C		1	
	3A	1		
	4A			1
	5A		1	
	5B		1	
	5C	1		
	6A		1	
	6B		1	
	7A		1	
	8A		1	
	8B		1	
	8C	1		
	9A		1	
	9B		1	
	9C		1	
	10A		1	
	10B	1		
	10C	1		
	11A	1		
	11B			1
	11C	1		
	12A			1
	12B			1
	12C	1		
	13A	1		
	13B			1
	13C		1	
	14A		1	
	14B	1		
LITTLE GREEN				

Church Street South Inspections

BUILDING NAME	UNITS	No Entry	Fail Improperly Vented	Pass Properly Vented
	1A	1		
	1B		1	
	2A	1		
	2B	1		
	2C			1
	3A	1		
	3B		1	
	3C	1		
	4A		1	
	4B	1		
	4C		1	
	5A	1		
	5B	1		
	5C	1		
	6A	1		
SOUTH ORANGE				
	72A		1	
	72B		1	
	74A	1		
	74B	1		
	74C	1		
	76A	1		
	76B	1		
	76C	1		
	78A	1		
	78B		1	
	78C		1	
	80A		1	
	80B	1		
	80C	1		
	82A		1	
	82B		1	
	82C		1	
	84A	1		
STATION COURT				
	1A	1		
	2A		1	
	3A		1	
	3B	1		
	4A	1		
	4B		1	
	4C			1
	5A			1
	5B		1	
	5C	1		
	6A		1	
	6B			1
	6C	1		
	7A			1
	7B		1	

Church Street South Inspections

BUILDING NAME	UNITS	No Entry	Fail Improperly Vented	Pass Properly Vented
	7C			1
	8A	1		
	8B			1
	8C			1
	9A			1
	9B		1	
	9C		1	
	10A		1	
	11A	1		
	12A		1	
	12B			1
	12C		1	
	13A			1
	13B	1		
	13C		1	
	14A			1
	14B		1	
	15A		1	
	16A			1
	16B	1		
	16C			1
	17A	1		
	17B			1
	17C		1	
	18A		1	
	18B	1		
	19A	1		
	20A	1		
CHRISTOPHER GREEN				
	1A	1		
	1B			
	2A			
	2B			
	2C	1		
	3A	1		
	3B	1		
	3C	1		
	4A			
	4B	1		
	4C		1	
	5A		1	
	5B	1		
	5C	1		
	6A			
	7A			
	7B	1		
	8A			
	8B	1		
	8C			
	9A			
	9B			

Church Street South Inspections

BUILDING NAME	UNITS	No Entry	Fail Improperly Vented	Pass Properly Vented
	9C	1		
	10A			
	11A	1		
	12A	1		
	13A			
	13B			
	14A			
	14B			
	14C			
	15A	1		
	15B	1		
	15C			
	16A	1		
	16B	1		
	16C			
	17A			
CINQUE GREEN	1A			1
	1B	1		
	2A			1
	2B			1
	2C	1		
	3A		1	
	3B		1	
	3C		1	
	4A		1	
	4B	1		
	4C	1		
	5A		1	
	5B	1		
	5C	1		
	6A		1	
	6B	1		
	6C	1		
	7A		1	
	7B	1		
	7C	1		
	8A		1	
	9A		1	
	10A		1	
	10B		1	
	10C		1	
	11A		1	
	11B		1	
	11C	1		
	12A		1	
	12B		1	
	12C		1	
	13A		1	
	13B		1	
	14A	1		
	14B	1		

Church Street South Inspections

BUILDING NAME	UNITS	No Entry	Fail Improperly Vented	Pass Properly Vented
	15A		1	
	15B		1	
	15C		1	
	16A		1	
	16B			1
	17A	1		
	18A	1		
COLUMBUS AVENUE	93A	1		
	93B	1		
	95A	1		
	95B	1		
	95C	1		
	96A		1	
	96B	1		
	97A	1		
	97B	1		
	97C	1		
	98A		1	
	98B	1		
	98C	1		
	99A	1		
	99B	1		
	99C	1		
	100A			1
	100B		1	
	100C	1		
	101A	1		
	102A		1	
	102B	1		
	102C	1		
	104A	1		
	104B		1	
	104C		1	
	106A		1	
DE DIEGO COURT	7A		1	
	8A		1	
	9A		1	
	9B			1
	10A		1	
	10B		1	
	10C		1	
	11A		1	
	11B		1	
	11C		1	
	12A		1	
	12B		1	
	12C		1	

Church Street South Inspections

BUILDING NAME	UNITS	No Entry	Fail Improperly Vented	Pass Properly Vented
GREAT GREEN	1A	1		
	2A		1	
	2B			1
	2C	1		
	3A		1	
	3B		1	
	3C		1	
	4A		1	
	4B	1		
	4C	1		
	5A	1		
	5B	1		
	5C		1	
	6A		1	
	6B	1		
		123	117	44



Exhibit P

U.S. Department of Housing and Urban Development

Suzanne C. Piacentini, Director
Multifamily Program Center
Connecticut State Office
20 Church St., One Corporate Center, 10th Floor
Hartford, Connecticut 06103-3220
E-Mail Address: Suzanne.C.Piacentini@hud.gov

Telephone: (860) 240-9702
Facsimile: (860) 240-4851
TTY: (860) 240-4665

MAR 26 2013

Steven Rosenthal, CEO
William M. Thompson
Church St. New Haven LLC
Northland Investment Corporation
2150 Washington St.
Newton, MA 02462
Attn: Scott Gagnon, Property Controller

Dear Messrs. Rosenthal, Thompson:

Subject: Church Street South Apts
New Haven, CT
CT26E000021/ iREMS Number 800003315

This will transmit to you a copy of the February 20, 2013 Housing Code Compliance Notice C-13-1307, from the Livable City Initiative, of the City of New Haven.

The Departmental Enforcement Center will soon be sending a notice of default of the Housing Assistance Payments Contract letter regarding this project. This letter will require that the owner conduct a 100% survey of the project, including all units, to identify all physical deficiencies at the project, and to prepare and execute a repair schedule. This was based on the January 29, 2013 Real Estate Assessment Center (REAC) inspection score of 26c, for the project.

Please add the shortcomings noted in the enclosed Notice to your listing of unit shortcomings, as part of the 100% survey. Please contact Michael Patterson at 860 240 9741, if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to be "Suzanne C. Piacentini", written over a horizontal line.

Suzanne C. Piacentini
Director
Multifamily Program Center



Erik Johnson
Executive Director

HOUSING CODE COMPLIANCE NOTICE

Livable City Initiative
165 Church Street, 3rd Floor
New Haven, CT 06510
Phone: (203) 946-7090 Fax: (203) 946-4899



John Destefano Jr.
Mayor

Date: 2/20/2013

Certified Mail

(Must be returned within ten days if undeliverable)

RETURN RECEIPT REQUESTED

STEVEN ROSENTHAL
CORPORATION SERVICE COMPANY
50 WESTON ST HARTFORD, CT 06120
NORTHLAND INVESTMENT CORPORATION
2150 WASHINGTON ST
NEWTON MA 02462

RE: 34 C Cinque Green

Case Number: C-13-1307

Inspector: Edward Rodriguez

Dear CHURCH STREET NEW HAVEN LLC:

I am writing to inform you that an inspection of the above premises was performed by this department on 2/13/2013 3:33:00 PM. The inspection revealed violations the City of New Haven's Housing Code. As owner (or as a designated agent of the owner) of the premises in question, you are responsible for remedying these violations.

The Details of the violations discovered at these fifty-nine (59) units, as well as the remedies required, are listed below.

NL

Inspection Information

Address	Case Number	Inspector	Inspection Date
34 C Cinque Green	C-13-1307	Edward Rodriguez	2/13/2013

NL

List of Violations

Great Green				
Location	Code	Description	Comment	Deadline
Throughout	Par. 302(h)	Remove peeling/chipping paint and repaint.	Great Green Apt 2B Repaint ceilings and walls with chipping/peeling paint.	21 days
Throughout	Par. 302(h)	Remove peeling/chipping paint and repaint.	Great Green Apt 2C Repaint ceilings and walls with chipping/peeling paint.	21 days
Throughout	Par. 302(h)	Remove peeling/chipping paint and repaint.	Great Green Apt 3B Repaint ceilings and walls with chipping/peeling paint.	21 days
Throughout	Par. 302(h)	Remove peeling/chipping paint and repaint.	Great Green Apt 6C Repaint ceilings and walls with chipping/peeling paint.	21 days
Bedroom	Par. 302(a)	Correct condition causing ceiling to be damp.	Great Green 3B	21 days
Roof	Par. 302(a)	Correct condition causing roof to leak	Great Green 3B	21 days
Bedroom	Par. 302(a)	Correct condition causing ceiling to be damp.	Great Green 3C	21 days



Erik Johnson
Executive Director

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John Destefano Jr.
Mayor

Throughout	Par. 302(h)	Remove peeling/chipping paint and repaint.	Great Green Apt 2A basement	21 days
Custom	Par. 301(d)	Provide adequate electric convenience outlets	Great Green Apt 2A defective outlets.	21 days
Custom	Par. 301(d)	Replace missing/ broken outlet plate(s)	Great Green Apt 2A left bedroom	21 days
Basement	Par. 302(d)	Repair leaking ...	Great Green Apt 2A plumbing in basement.	3 days
Bedroom	Par. 302(a)	Correct condition causing ceiling to be damp.	Great Green Apt 2B	21 days
Roof	Par. 302(a)	Correct condition causing roof to leak	Great Green Apt 2B	21 days
Bedroom	Par. 302(a)	Correct condition causing ceiling to be damp.	Great Green Apt 2C	21 days
Roof	Par. 302(a)	Correct condition causing roof to leak	Great Green Apt 2C	21 days
Kitchen	Par. 302(e)	Remove and replace worn covering on floor	Great Green Apt 3B	21 days
Custom		General Inspection	Great Green Apt 3B replace defective stove.	21 days
Kitchen	Par. 300(b)	Install/Repair/Replace lav basin/sink.	Great Green Apt 3B, countertop	21 days
Roof	Par. 302(a)	Correct condition causing roof to leak	Great Green Apt 3C	21 days
Throughout	Par. 302(b)	Correct condition causing window(s) not to be weather tight and/or to be defective/free falling	Great Green Apt 3C	21 days
Throughout	Par. 302(b)	Remove peeling paint and repaint window trim	Great Green Apt 3C	21 days
Bedroom	Par. 302(a)	Correct condition causing ceiling to be damp.	Great Green Apt 4B	21 days
Bedroom	Par. 302(a)	Correct condition causing ceiling to be damp.	Great Green Apt 5C	21 days
Bedroom	Par. 302(a)	Correct condition causing ceiling to be damp.	Great Green Apt 6C	21 days
Roof	Par. 302(a)	Correct condition causing roof to leak	Green Apt 16A	21 days
<u>Columbus Ave</u>				
<u>Location</u>	<u>Code</u>	<u>Description</u>	<u>Comment</u>	
Kitchen	Par.300(a)	Remove or replace damaged cabinetry/shelving/countertops	100 Columbus Ave Apt A	21 days
Throughout	Par.304	Remove accumulated trash/rubbish/debris	101 Columbus Ave	21 days
Throughout	Par.301(e)	Have Licensed Contractor service boiler	100 Columbus Ave Apt A	7 hours
Throughout	Par. 302(b)	Correct condition causing window(s) not to be weather tight and/or to be defective/free falling	100 Columbus Ave Apt A	21 days
Throughout	Par.302(b)	Repair or replace broken/loose or deteriorated window frame(s)	100 Columbus Ave Apt A	21 days
Throughout	Par.301(e)	Repair/replace defective baseboard heater(s)	100 Columbus Ave Apt A	7 hours



Erik Johnson
Executive Director

HOUSING CODE COMPLIANCE NOTICE

Livable City Initiative
165 Church Street, 3rd Floor
New Haven, CT 06510
Phone: (203) 946-7090 Fax: (203) 946-4899



John Destefano Jr.
Mayor

Throughout	Par.302(a)	Correct conditions causing wall to become damp	100 Columbus Ave Apt A correct mold issue	21 days
Living room	Par.302(b)	Correct condition causing doors no to be weather tight or causing doors to be ill fitting.	100 Columbus Ave Apt A Front and rear doors of dwelling units.	21 days
Throughout	Par.302(a)	Repair holes in wall	100 Columbus Ave Apt A loose cove base	21 days
Throughout	Par.302(h)	Remove peeling/chipping paint and repaint.	100 Columbus Ave Apt A Repaint ceilings and walls with chipping/peeling paint.	21 days
Bedroom	Par.302(a)	Correct molded drywall, makeshift repairs to walls & holes in wall	100 Columbus Ave Apt A, remove mold	21 days
Throughout	Par.302(b)	Repair or replace broken/loose or deteriorated window frame(s)	102 Columbus Ave Apt B	21 days
Basement	Par.301(e)	Provide adequate heating facilities throughout to meet housing code requirement of no less than 65 deg. F	102 Columbus Ave Apt A	7 hours
Basement	Par.302(c)	Repair or replace defective supports for interior stairs	102 Columbus Ave Apt A basement stairs	21 days
Roof	Par.302(a)	Correct condition causing roof to leak	102 Columbus Ave Apt B	21 days
Bathroom	Par.302(a)	Correct condition causing ceiling to be damp.	102 Columbus Ave Apt B	21 days
Kitchen	Par.300(a)	Remove or replace damaged cabinetry/shelving/countertops	102 Columbus Ave Apt B	21 days
Throughout	Par.301(e)	Have Licensed Contractor service boiler	102 Columbus Ave Apt B	7 hours
Throughout	Par.301(e)	Repair/replace defective baseboard heater(s)	102 Columbus Ave Apt B	7 hours
Throughout	Par.302(a)	Correct conditions causing wall to become damp	102 Columbus Ave Apt B correct mold issue	21 days
Living room	Par.302(b)	Correct condition causing doors no to be weather tight or causing doors to be ill fitting.	102 Columbus Ave Apt B Front and rear doors of dwelling units.	21 days
Roof	Par.302(a)	Correct condition causing roof to leak	102 Columbus Ave Apt A, B & C	21 days
Throughout	Par.302(b)	Correct condition causing window(s) not to be weather tight and/or to be defective/free falling	102 Columbus Ave Apts A, B & C	21 days
Bedroom	Par.302(a)	Correct condition causing ceiling to be damp.	104 Columbus Ave Apt B	21 days
Roof	Par.302(a)	Correct condition causing roof to leak	104 Columbus Ave Apt B	21 days
Living room	Par.302(b)	Correct condition causing doors no to be weather tight or causing doors to be ill fitting.	104 Columbus Ave Apt B Front and rear doors of dwelling units.	21 days
Kitchen	Par.300(b)	Install/Repair/Replace lav basin/sink.	104 Columbus Ave Apt B, kitchen sink	21 days
Throughout	Par.302(h)	Remove peeling/chipping paint and repaint.	98 Columbus Ave Apt A Repaint ceilings and walls with chipping/peeling paint.	21 days



Erik Johnson
Executive Director

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John Destefano Jr.
Mayor

Bedroom	Par.302(h)	Remove peeling paint and repaint ceiling.	98 Columbus Apt A	21 days
Bathroom	Par.302(a)	Remove loose plaster, re-plaster and repaint ceiling.	98 Columbus Ave Apt A	21 days
Kitchen	Par.300(a)	Remove or replace damaged cabinetry/shelving/countertops	98 Columbus Ave Apt A	21 days
Throughout	Par. 302(b)	Correct condition causing window(s) not to be weather tight and/or to be defective/free falling	98 Columbus Ave Apt A	21 days
Throughout	Par.302(b)	Repair or replace broken/loose or deteriorated window frame(s)	98 Columbus Ave Apt A	21 days
Throughout	Par.301(e)	Repair/replace defective baseboard heater(s)	98 Columbus Ave Apt A	7 hours
Throughout	Par.302(a)	Correct conditions causing wall to become damp	98 Columbus Ave Apt A & C correct mold issue	21 days
Throughout	Par.302(a)	Repair holes in wall	98 Columbus Ave Apt A & C loose cove base	21 days
Living room	Par.302(b)	Correct condition causing doors no to be weather tight or causing doors to be ill fitting.	98 Columbus Ave Apt A Front and rear doors of dwelling units.	21 days
Roof	Par. 302(a)	Correct condition causing roof to leak	98 Columbus Ave Apt B & C	21 days
Bathroom	Par.302(a)	Correct condition causing ceiling to be damp.	98 Columbus Ave Apt C	21 days
Bathroom	Par.301(d)	Repair/replace inoperative electrical "light" fixture	98 Columbus Ave Apt C	21 days
Bathroom	Par.302(a)	Remove loose plaster, re-plaster and repaint ceiling.	98 Columbus Ave Apt C	21 days
Throughout	Par. 302(b)	Correct condition causing window(s) not to be weather tight and/or to be defective/free falling	98 Columbus Ave Apt C	21 days
Throughout	Par.309	Rid apartment of vermin infestation. Provide documentation of treatment plan from Licensed Exterminator.	98 Columbus Ave Apt A	21 days
Throughout	Par.309	Rid apartment of vermin infestation. Provide documentation of treatment plan form Licensed Exterminator.	98 Columbus Ave Apt B	21 days
Throughout	Par.309	Rid apartment of vermin infestation. Provide documentation of treatment plan form Licensed Exterminator.	98 Columbus Ave Apt C	21 days
Roof	Par.302(a)	Correct condition causing roof to leak	100 Columbus Ave Apt C	21 days
Throughout	Par.302(b)	Repair or replace broken/loose or deteriorated window frame(s)	98 Columbus Ave Apt C	21 days
Roof	Par.302(a)	Correct condition causing roof to leak	99 Columbus Ave Apt C	21 days
Bathroom	Par.302(a)	Correct conditions causing wall to become damp	99 Columbus Ave Apt C	21 days
Bathroom	Par.300(b)	Install/repair/replace lav basin/sink.	99 Columbus Ave Apt C	21 days
Bedroom	Par. 302(a)	Correct molded drywall, makeshift repairs to walls & holes in wall	99 Columbus Ave Apt C	21 days
Living room	Par.301(d)	Replace missing/broken switch or outlet plate(s).	99 Columbus Ave Apt C	21 days
Throughout	Par. 302(b)	Correct condition causing window(s) not to be weather tight and/or to be defective/free falling	99 Columbus Ave Apt C	21 days
Custom	Par.610	Install/replace carbon monoxide detectors	99 Columbus Ave Apt C	21 days



LIVABLE CITY INITIATIVE - CITY OF NEW HAVEN
CITY OF NEIGHBORHOODS

Erik Johnson
Executive Director

HOUSING CODE COMPLIANCE NOTICE

Livable City Initiative
165 Church Street, 3rd Floor
New Haven, CT 06510
Phone: (203) 946-7090 Fax: (203) 946-4899



John Destefano Jr.
Mayor

Throughout	Par.301(e)	Repair/replace defective baseboard heater(s)	98 Columbus Ave Apt C	7 hours
<u>Christopher Green</u>				
<u>Location</u>	<u>Code</u>	<u>Description</u>	<u>Comment</u>	
Kitchen	Par. 300(b)	Install/Repair/Replace lav basin/sink.	Christopher Green Apt 13A	21 days
Bedroom	Par.302(h)	Remove peeling paint and repaint ceiling.	Christopher Green Apt 16A	21 days
Bedroom	Par. 302(a)	Correct condition causing ceiling to be damp.	Christopher Green Apt 16A	21 days
Throughout	Par. 302(h)	Remove peeling/chipping paint and repaint.	Christopher Green Apt 16A Repaint ceilings and walls with chipping/peeling paint.	21 days
Custom	Par.610	Install/replace carbon monoxide detectors	Christopher Green Apt 5C	24 hours
Throughout	Par.302(a)	Correct conditions causing wall to become damp	Christopher Green Apt 5C Correct mold issue	21 days
Living room	Par.302(e)	Provide adequate floor covering.	Christopher Green Apt 8A replace tiles	21 days
Kitchen	Par.302(d)	Repair or replace inoperative parts of...	Christopher Green Apt 8B broken J pipe under kitchen sink	21 days
Kitchen	Par.302(d)	Repair or replace inoperative parts of...	Christopher Green Apt 8B gas-trap at kitchen sink and any other inoperative plumbing.	21 days
<u>Church St South</u>				
<u>Location</u>	<u>Code</u>	<u>Description</u>	<u>Comment</u>	
Roof	Par. 302(a)	Correct condition causing roof to leak	Church St South Apt 102C	21 days
Bedroom	Par. 302(a)	Correct condition causing ceiling to be damp.	Church Street South Apt 102C	21 days
Bedroom	Par. 302(a)	Secure or replace loose floor board	Church Street South Apt 102C replace damaged tiles.	21 days
Bedroom	Par. 302(a)	Secure or replace loose floor board	Church Street South Apt 102C replace damaged tiles.	21 days
<u>Cinque Green</u>				
<u>Location</u>	<u>Code</u>	<u>Description</u>	<u>Comment</u>	
Living room	Par.302(b)	Correct condition causing doors no to be weather tight or causing doors to be ill fitting.	Cinque Green Apt 11C Front and rear doors of dwelling units.	21 days
Throughout	Par. 302(b)	Correct condition causing window(s) not to be weather tight and/or to be defective/free falling	Cinque Green Apt 3A	21 days
<u>Diego Court</u>				
<u>Location</u>	<u>Code</u>	<u>Description</u>	<u>Comment</u>	
Living room	Par.302(a)	Correct condition causing ceiling to be damp.	Diego Court Apt 9B	21 days
Roof	Par. 302(a)	Correct condition causing roof to leak	Diego Court Apt 9B	21 days
Kitchen	Par.302(d)	Correct condition causing stoppage at...	Diego Court Apt 9B kitchen	21 days



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John Destefano Jr.
Mayor

			sink.	
<u>Jose Marti</u>				
<u>Location</u>	<u>Code</u>	<u>Description</u>	<u>Comment</u>	
Roof	Par. 302(a)	Correct condition causing roof to leak	Jose Marti 3B	21 days
Living room	Par.302(a)	Correct condition causing ceiling to be damp.	Jose Marti Apt 10B	21 days
Roof	Par. 302(a)	Correct condition causing roof to leak	Jose Marti Apt 10B	21 days
Living room	Par.302(a)	Remove loose plaster, re-plaster and repaint ceiling.	Jose Marti Apt 3B	21 days
Living room	Par.302(a)	Correct condition causing ceiling to be damp.	Jose Marti Apt 3B	21 days
Kitchen	Par.302(a)	Correct condition causing ceiling to be damp.	Jose Marti Apt 3B	21 days
<u>Little Green</u>				
<u>Location</u>	<u>Code</u>	<u>Description</u>	<u>Comment</u>	
Custom	Par.610	Install/replace carbon monoxide detectors	Little Green Apt 3B	24 hours
Kitchen	Par.302(a)	Secure or replace loose floor board	Little Green Apt 3C Replace damaged tiles.	21 days
<u>Malcolm Court</u>				
<u>Location</u>	<u>Code</u>	<u>Description</u>	<u>Comment</u>	
Living room	Par.302(a)	Correct condition causing ceiling to be damp.	Malcolm Court Apt 10B	21 days
Roof	Par. 302(a)	Correct condition causing roof to leak	Malcolm Court Apt 11C	21 days
Living room	Par.302(a)	Remove loose plaster, re-plaster and repaint ceiling.	Malcolm Court Apt 12B	21 days
Custom	Par.610	Install/replace carbon monoxide detectors	Malcolm Court Apt 13B	24 hours
Bedroom	Par. 302(a)	Correct condition causing ceiling to be damp.	Malcolm Court Apt 14 A & B	21 days
Bathroom	Par.301(d)	Repair/replace inoperative electrical "light" fixture	Malcolm Court Apt 14A Vent fan	21 days
Bathroom	Par.302 (a)	Correct condition causing ceiling to be damp.	Malcolm Court Apt 1B	21 days
Bathroom	Par. 300(b)	Install/Repair/Replace shower/tub.	Malcolm Court Apt 1B	21 days
Custom	Par.301(e)	Relocate thermostat from present location	Malcolm Court Apt 1B defective,	21 days
Living room	Par.302(a)	Correct condition causing ceiling to be damp.	Malcolm Court Apt 2B	21 days
Living room	Par.302(a)	Correct condition causing ceiling to be damp.	Malcolm Court Apt 5B	21 days
Bedroom	Par. 302(a)	Correct condition causing ceiling to be damp.	Malcolm Court Apt 9C	21 days
Bedroom	Par. 302(a)	Correct condition causing ceiling to be damp.	Malcolm Court Apts 7-13 A B & C	21 days
Throughout	Par. 302(b)	Correct condition causing window(s) not to be weather tight and/or to be defective/free falling	Malcolm Court Apts 7-14 A, B & C	21 days



Erik Johnson
Executive Director

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John Destefano Jr.
Mayor

Living room	Par.302(b)	Correct condition causing doors no to be weather tight or causing doors to be ill fitting.	Malcolm Court Apts 7-14 A, B & C Front and rear doors of dwelling units.	21 days
<u>Station Court</u>				
<u>Location</u>	<u>Code</u>	<u>Description</u>	<u>Comment</u>	
Throughout	Par.301(e)	Repair/replace defective baseboard heater(s)	Station Court Apt 11A	7 hours
Bedroom	Par.301(d)	Replace missing/broken switch or outlet plate(s).	Station Court Apt 12A	21 days
Throughout	Par. 302(b)	Correct condition causing window(s) not to be weather tight and/or to be defective/free falling	Station Court Apt 12A	21 days
Bedroom	Par. 302(a)	Correct molded drywall, makeshift repairs to walls & holes in wall	Station Court Apt 12A, remove mold	21 days
Bedroom	Par. 302(a)	Correct molded drywall, makeshift repairs to walls & holes in wall	Station Court Apt 7B, remove mold	21 days
<u>South Orange St</u>				
<u>Location</u>	<u>Code</u>	<u>Description</u>	<u>Comment</u>	
Exterior	301(e)	Correct condition causing boiler to leak	80B South Orange St	7 hours
Roof	Par. 302(a)	Correct condition causing roof to leak	84 South Orange St	21 days

Failure to comply with this order represents a violation of the City of New Haven's Housing Code and may subject you to criminal prosecution by the State's Attorney's Office.

The City of New Haven's Housing Code Ordinance is available at the City Town Clerk's office, located at 165 Church street.

The City of New Haven does not discriminate on the basis of disability in admission to, access to, or operations of programs, services, or activities. Individuals who need an accommodation, publications in alternate formats or who need auxiliary aids for effective communication in programs and services of the City of New Haven can make such requests by calling (203) 946-7090

Sincerely,

Rafael Ramos
Deputy Director
Housing Code Enforcement/LCI

Exhibit Q

From: Standish, Peter [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=FF9F979C142F4D28AA32BE1D570AD0A7-STANDISH, PETER]
Sent: 6/9/2016 7:00:16 PM
To: James Farnam [jf@farnamllc.com]
CC: Serena Neal-Sanjurjo (snealsanjurjo@newhavenct.gov) [snealsanjurjo@newhavenct.gov]
Subject: Attachment 35 Design Deficiencies

Jim –

Here is my first cut at Attachment 35. Some of the photos have lines through them. I am getting replacement photos for those.

Please let me know your thoughts.

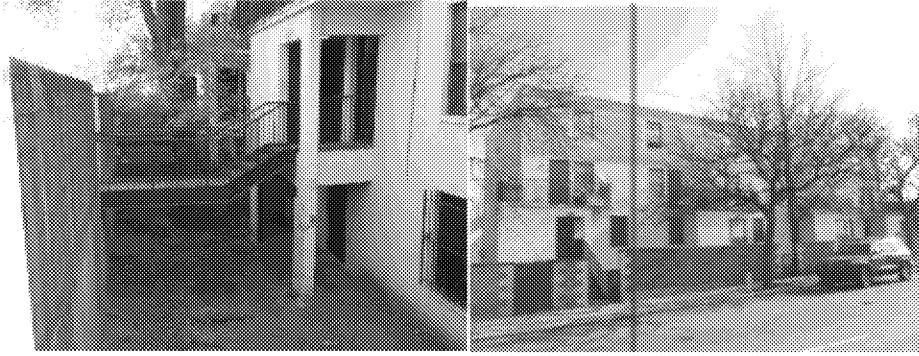
Peter

Peter M. Standish
Senior Vice President
Northland Investment Corporation
2150 Washington Street
Newton, MA 02462
P: 617.630.7271
F: 617.965.7101
pstandish@northland.com
www.northland.com

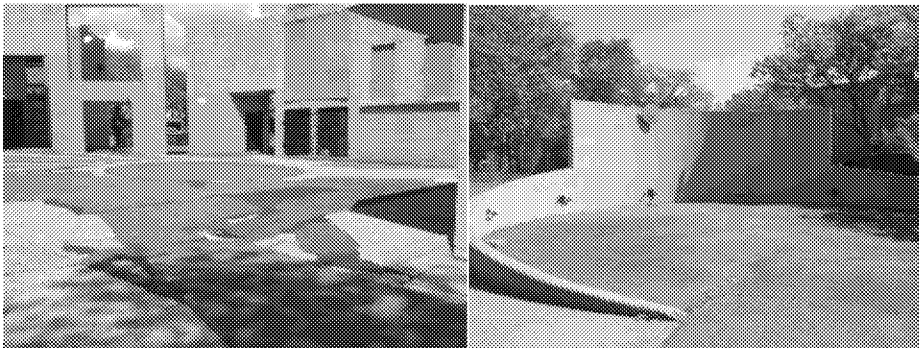
Attachment 35

Design Deficiencies at Church Street South Housing Complex

(a) Substantially Inappropriate Building Design or Site Layout

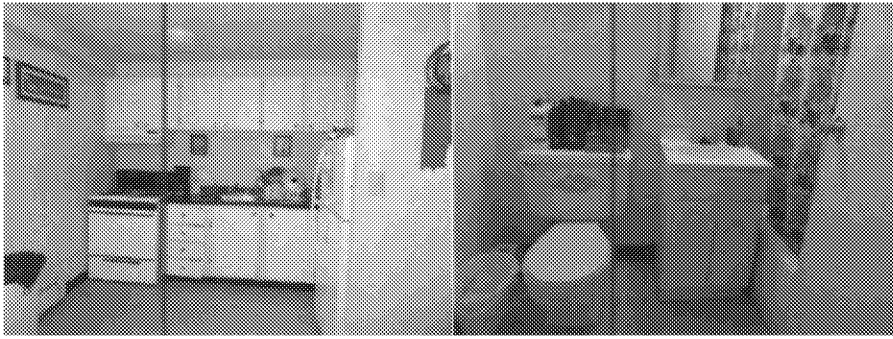


Perimeter wall along streetfront create a safety hazard and visual impediment.

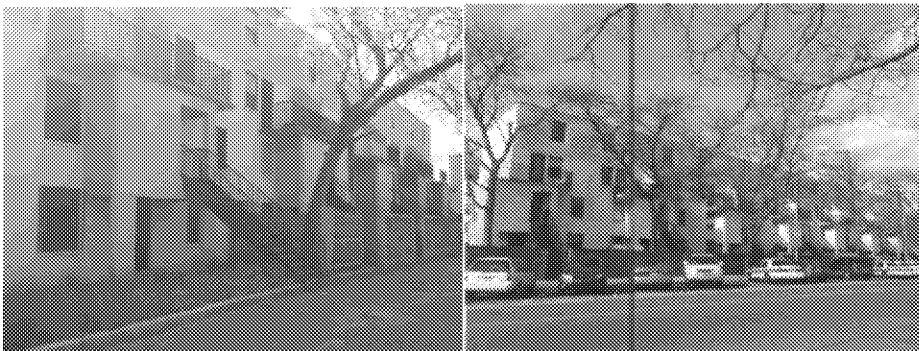


Interior courtyards and amenity areas with large areas of asphalt cover and minimal plantings.

(b) Inadequate room sizes or unit configurations to meet the needs of existing residents.

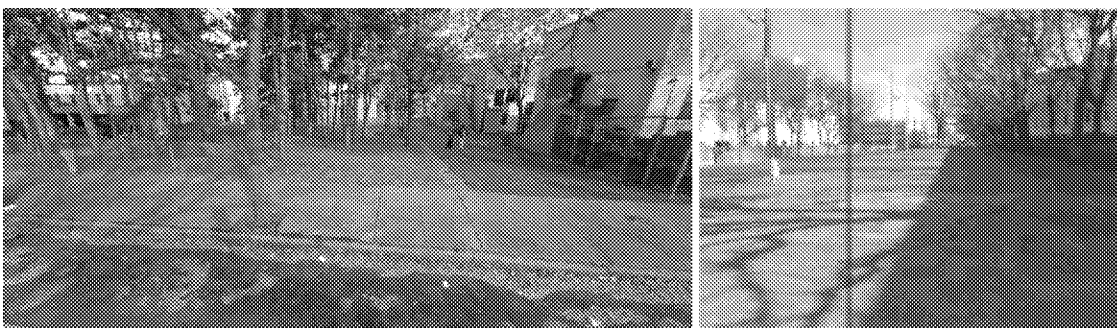


Small unit sizes and room configurations (ex. 2 bedroom/1 bath unit shown; 678 sf).



Stair access to 2nd floor unit entries.

(c) Lack of defensible space related to building layout and orientation.



Courtyards and common areas open to the public.



Unit entries on interior courtyards easily accessible by the public, but difficult to patrol present increased safety threats.



Hidden areas in poorly lit areas present security and safety threats.

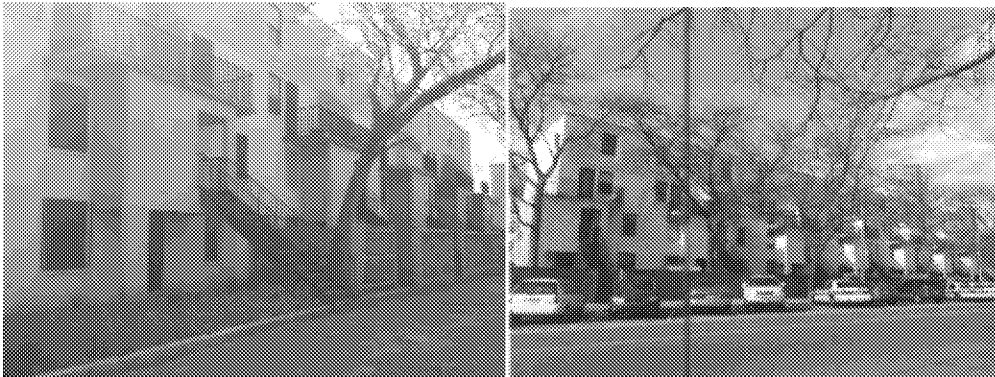
(d) Disproportionately high and adverse health effects with ongoing residency.



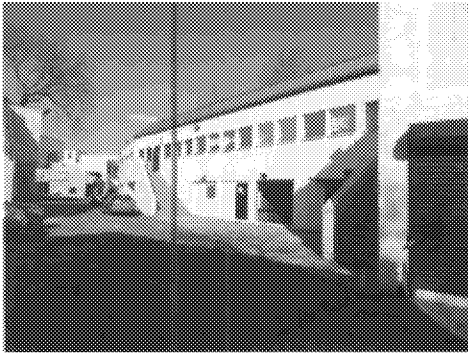


Proliferation of mold and moisture in dwelling units due to water infiltration resulting from deteriorated roofs, exterior wall structures, plumbing and drainage systems.

(e) Inaccessibility for persons with disabilities with regard to individual units.



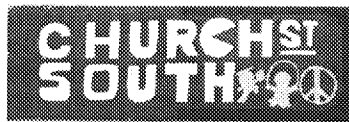
Stair access to 2nd floor unit entries pose significant barriers to access.



The management office center and community rooms for the complex are located on the 2nd floor with no elevator access posing a significant barrier to access.

ADA/Section 504
Evaluation and Transition Plan

For:



34 Cinque Green
New Haven, CT

The housing complex has no designated handicapped accessible units. Several of the ground floor units have had modifications performed to make the units partially wheelchair accessible. Only 5 of the 301 units (1.67%) can be considered wheelchair accessible. Please refer to the Addendum 1 for excerpts from the above-referenced plan.

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (this "MOU") is entered into this day of May 31, 2011 (the "Effective Date") by and among Church Street New Haven, LLC, a Limited Liability Company organized and existing under the laws of the State of Delaware with a mailing address of c/o Northland Investment Corporation, 2150 Washington Street, Newton, Massachusetts 02462 (the "Owner"), Northland Development LLC a Limited Liability Company organized and existing under the laws of the State of Delaware with a mailing address of c/o Northland Investment Corporation, 2150 Washington Street, Newton, Massachusetts 02462 ("Northland"), the City of New Haven, a municipal Corporation existing under the laws of the State of Connecticut with a mailing address of 165 Church Street, New Haven, Connecticut 06510 (the "City"), the Housing Authority of the City of New Haven, a housing authority created under the laws of the State of Connecticut with a mailing address of 360 Orange Street, New Haven, CT 06511 ("HANH") and The Glendower Group, Inc., a non-stock corporation organized and existing under the laws of the State of Connecticut, which is solely owned and controlled by HANH with a mailing address of 360 Orange Street, New Haven, CT 06511 ("Glendower"). Owner, Northland, the City, HANH and Glendower are hereinafter sometimes together referred to as the "Parties".

BACKGROUND

- (I) Owner, an affiliate of Northland, is the owner of property commonly known as Church Street Apartments, comprising 301 housing units located within 34 buildings situated at 89 and 169 Union Avenue, 91 and 94 Columbus Avenue, 84 South Orange Street and 1 Tower Lane, New Haven, Connecticut (the "Property") which Property is more particularly delineated on Exhibit A attached hereto and made a part hereof.
- (II) Owner is party to a Housing Assistance Payment Contract with the U.S. Department of Housing and Urban Development ("HUD") which provides for project-based Section 8 Housing assistance payments with respect to the residential units at the Property (the "HAP Contract").
- (III) Northland has submitted an initial concept proposal to the City and HANH to redevelop the Property into a mixed-use development comprised of approximately 800 residential units, 350,000 square feet of commercial office space, 50,000 square feet of retail space and associated parking facilities with an estimated development cost of \$520,000,000.00 (the "Project"). HANH and the City require a market analysis to examine the feasibility of the proposed Project. The Project would be accomplished in two phases, with the first phase, which will include one or more ownership structures, being comprised of approximately 350 residential units, 120,000 square feet of rentable commercial office space and 25,000 square feet of retail space ("Phase One") and the second phase being comprised of the remainder of the Project ("Phase Two").
- (IV) In order to facilitate the Project, City, HANH and Glendower are seeking to provide various housing alternatives for residents at the Property who would be impacted thereby, which may include new low-income housing within the Property, alternative housing in other facilities

owned by HANH, and housing provided through Housing Choice Vouchers, it being agreed and acknowledged by all the Parties that the project cannot proceed without an effective resident relocation process, in accordance with all applicable Federal, State and Municipal requirements.

- (V) The Parties acknowledge that the Project will not be feasible without significant public subsidy. Accordingly, as more particularly described in this MOU, the City, HANH and Glendower shall take an active role along with Northland in seeking such public funding as may be available, which may include (without limitation) monies available from appropriate HUD programs, monies available from programs operated by the Connecticut Housing Finance Authority ("CHFA"), Low Income Housing Tax Credits ("LIHTC") and New Market Tax Credits ("NMTC").

NOW THEREFORE, in consideration of the foregoing, the Parties agree as follows:

1. **Effect of MOU.** It is agreed, stipulated and understood by the Parties, that this MOU is designed to summarize in brief the principal proposed obligations of the Parties with respect to the Project so as to facilitate the negotiation and execution of a legally binding cooperation agreement (the "Cooperation Agreement") and to advance the Project to a position whereby the Cooperation Agreement may be executed by the Parties. This MOU does not, and is not intended to, impose any binding legal commitments on any of the Parties, other than the commitment to proceed in good faith with the pre-development activities described in this MOU so as to facilitate the final negotiation and execution of the Cooperation Agreement.

2. **Term of MOU.**

(a) This MOU shall take effect as of the Effective Date and shall continue in full force and effect for a period of Three Hundred and Sixty Five (365) days, whereupon, subject to any extension pursuant to Section 2(b) below, this MOU shall automatically terminate and be of no further force and effect without the need for any notice or other instrument of termination (as it may be extended, the "Expiration Date").

(b) Notwithstanding the provisions of Section 2(a) above, in the event that this MOU remains in full force and effect as of the Expiration Date, the Parties may, in their sole and absolute discretion, extend the term of this MOU for a further period of not more than Three Hundred Sixty Five (365) days upon the terms and conditions herein contained or upon such other terms and conditions as may be mutually agreed upon by the Parties.

(c) Notwithstanding the provisions of Section 2(a) above, it is agreed and understood that this MOU may terminate prior to the Expiration Date in accordance with the provisions of Section 3 and/or Section 4 below.

(d) Notwithstanding the provisions of Section 2(a) above, this MOU shall automatically terminate upon the execution and delivery by the Parties of a mutually acceptable form of Cooperation Agreement, as approved by the City Board of Aldermen and signed by the Mayor in accordance with the provisions of Section 4 below. Upon such termination, this MOU shall have

no further effect, so that all rights duties and obligations of the Parties shall be as set forth in the Cooperation Agreement. As further set forth in Section 7 herein, Owner, Glendower and Northland and certain affiliates thereof may also enter into a partnership agreement and a development agreement, describing certain rights and responsibilities between those parties.

(e) Notwithstanding any other provision contained in this MOU, HANH, Glendower and/or the City may, in the exercise of their sole and absolute discretion (and subject to obtaining any applicable approvals), make a pre-development loan (the "Pre-Development Loan") to Northland to fund up to forty (40%) percent of the cost of pre-development expenses ("Pre-Development Expenses") approved by them for the Project, including, without limitation:

- A. Costs associated with preparation and submission of PDD application;
- B. Costs associated with preparation and submission of Site Plan;
- C. Costs associated with preparation and submission of CHFA application;
- D. Relocation Costs.

The Pre-Development Loan may be sourced from any funds available to the City, HANH or Glendower. Security for the Pre-Development Loan shall be determined at the time the debt is incurred (which the parties acknowledge may be limited by the terms of any permanent loan or construction loan on the Property), and shall be set forth in a loan agreement (the "Loan Agreement") to be entered into between the parties. The Loan Agreement shall contain such other terms and conditions as shall be agreed upon by the Parties.

The Loan Agreement shall provide for repayment of a portion of the Pre-Development Loan upon the closing of a construction loan for Phase One (the "First Repayment Date"). On the First Repayment Date, Northland will repay that portion of the Pre-Development Loan consisting of Pre-Development Expenses incurred with respect to Phase One to the extent of the funds available for repayment from such construction loan financing. Upon the closing of a construction loan for Phase Two and to extent of funds available therefor from such construction loan financing, Northland will repay Pre-Development Expenses incurred with respect to Phase One but not repaid on the First Repayment Date, and the Pre-Development Expenses incurred with respect to Phase Two. Any remaining balance will be repaid from available funds upon subsequent permanent loan financings for each phase.

The Loan Agreement shall also provide that in the event that Northland shall sell, transfer or otherwise seek to alienate a controlling interest in the Property (other than to an affiliated entity controlled by or under common control with Northland) to any third party (unless such third party is expressly approved by the City, Glendower and HANH, which approval shall not be unreasonably withheld, delayed or conditioned), at any time prior to repayment in full of the Pre-Development Loan, then such transfer shall be an automatic default under the Loan Agreement, and the then remaining balance of the Pre-Development Loan shall be repayable in full together with a penalty equal to ten (10%) percent of such remaining balance. Provided that Northland's application for a PDD receives all requisite approvals and provided further that following such approval, Northland sells, transfers or alienates a controlling interest in the Property to a third party (A) on or before the completion of construction of Phase One,

then the amount of the Pre-Development Loan shall be deemed to include a pro-rata portion of the funds from the HUD Challenge Grant (as more particularly described in Section 6(d)(iii) below) allocable to Phase One, or (B) following the completion of Phase One, but prior to the completion of Phase Two, then the Pre-Development Loan shall be deemed to include a pro-rata portion of the funds from the HUD Challenge Grant allocable to Phase Two.

Northland and HANH may mutually agree to treat any funds advanced by way of the Pre-Development Loan or any other funds advanced by HANH as a capital contribution or loan to the Project. Any such capital contribution or loan shall be counted toward the computation of the Developer Fee owed to Glendower under Section 7 of this MOU.

3. **Planned District Development.**

(a) Northland is developing an initial concept master plan (the "Concept Master Plan") for the Project, which Concept Master Plan will be further developed with input from officials within the City's Office of the Economic Development Administrator, HANH, Glendower and the City Plan Department. Northland shall continue to develop the Concept Master Plan in conjunction with such HANH, Glendower and City officials, which process shall also be coordinated with the City's larger planning efforts concerning the City's Medical District and Union Station redevelopment areas. In particular (but without limitation) as part of the process of preparing the final form of Concept Master Plan, Northland, Glendower and the City shall agree upon the location, type and use of any public or private street to be created or modified as part of the Project. It is anticipated that a final form of the Concept Master Plan, acceptable to all the Parties, will be available for submission to the Board of Aldermen of the City for approval as a Planned District Development ("PDD") on or before October 1, 2011, as the same may be modified in accordance with Section 5 below. It is agreed and understood that, subject to any further agreement between the Parties, this MOU may be terminated by the City, HANH and Glendower in the event that the application for PDD is not submitted to the Board of Aldermen on or prior to October 31, 2011, as the same may be modified in accordance with Section 5 below (the "Cut Off Date") by giving notice to Northland and an opportunity to cure such failure within 5 business days following receipt of such notice. The City and Glendower shall provide technical assistance to Northland throughout the approval process and shall assist with such community outreach as may be considered necessary or as Northland may reasonably request. In the event that approval of the PDD in a form agreed to by Northland, shall not be obtained on or before March 31, 2012, then, subject to any agreement between the Parties to extend this MOU, any Party may terminate this MOU by providing written notice to the other Parties.

(b) Northland's ability to meet the aforementioned dates for completion of the Plan and submission of an application for PDD is contingent upon and subject to the City, HANH and Glendower agreeing to a Conceptual Master Plan, including but not limited to, the number residential units and the gross square footage of commercial/residential space to be included in Northland's PDD parcel and the parcels of land and real properties to be included in the

proposed PDD. Northland shall provide a real estate marketability analysis of the proposed Project, with said analysis covering, inter alia, location analysis, demand analysis for retail, office and residential space, supply analysis of retail, office and residential space, definition of primary and secondary market area, and rent analysis for retail, office and residential space. The marketability analysis shall be completed by Northland no later than June 30, 2011 (as the same may be modified in accordance with Section 5 below). HANH's, the City's and Glendower's agreement on a Conceptual Master Plan for the proposed application for PDD will be contingent, in part, upon, and subject to, the completion of this marketability analysis by Northland. HANH, the City and Glendower shall confirm in writing to Northland on or before September 1, 2011 that each will be responsible for obtaining the approval of the property owners within the existing PDD to the required zoning and permitting modifications for the Project, and in the event that HANH, the City and Glendower do not confirm such agreement in writing to Northland by such date, despite the fact that Northland has completed the aforementioned marketability analysis by June 30, 2011 (as the same may be extended in accordance with Section 5 below), then Northland may terminate this MOU.

(c) Northland shall convene community meetings with Church Street South residents, members of the Greater Hill Community and elected officials to review and discuss the Plan. Meetings shall take place on a regular basis as may reasonably be requested by the City throughout the process of the continued preparation of the Conceptual Master Plan and the Board of Aldermen approval process, and as often as may be necessary during the resident relocation process or at such other times as the City may reasonably request, provided that such request shall not be made to either Northland or Glendower without reasonable prior notice to both.

4. **Cooperation Agreement.** Concurrent with the continued development of the Conceptual Master Plan pursuant to Section 3 above, the Parties shall negotiate a mutually acceptable form of Cooperation Agreement, containing (inter alia) the provisions more specifically set forth in Section 6 below. In the event that despite good faith negotiations between the Parties, within the parameters of this MOU, it is not possible to mutually agree upon a form of Cooperation Agreement on or prior to the Cut Off Date, then, subject to further agreement between the Parties, this MOU may be terminated by any of the Parties by notice to the other Parties hereto. The proposed form of Cooperation Agreement shall be submitted to the Board of Aldermen of the City simultaneously with the submission of the Conceptual Master Plan. In the event that approval and execution of the Cooperation Agreement shall not have occurred on or before March 31, 2012 (as the same may be extended in accordance with Section 5 below), then, subject to any further agreement between the Parties, this MOU may be terminated by any of the parties by notice to the other parties hereto.

5. **Schedule.** In conjunction with the City and Glendower, Northland has developed a milestone schedule (the "Schedule") which schedule is attached hereto as Exhibit B and made a part hereof. It is agreed and understood by the Parties that the Schedule shall be periodically reviewed by the Parties and may be amended from time to time in order to account for unanticipated events, conditions and complications. The Schedule, as so modified (if applicable) shall be attached as a schedule to the Cooperation Agreement. As set forth in the Schedule, it is anticipated that Phase One

construction shall commence on or about January 1, 2014. The Schedule includes, inter alia, the following critical path milestones (many of which the parties acknowledge and agree are contingent on third parties, provided the parties will work in good faith to achieve any of such third parties actions and approvals):

- a. Completion of marketability analysis by Northland by June 30, 2011;
- b. HANH, the City and Glendower will use their best efforts to obtain approval of the property owners within the existing PDD to the required zoning and permitting modifications for the Project by September 1, 2011.
- c. Subject to completion of a marketability analysis in addition to such other information, in a timely manner as reasonably requested by the City, Glendower and HANH, a decision by City, Glendower and HANH with respect to the proposed Conceptual Master Plan by July 15, 2011;
- d. Agreement regarding Cooperation Agreement by all Parties by October 1, 2011, subject to the completion of an approved Project site plan, Project infrastructure analysis and infrastructure plan showing location of existing and proposed utilities and infrastructure to the Project and a detailed cost estimate of the cost of the proposed utilities and infrastructure to the Project by Phase;
- e. Northland must obtain approval of application for PDD by March 31, 2012;
- f. Northland must obtain approval of a detailed site plan of the Tax Credit Component (as defined below) of Phase One by the City Planning Commission by March 31, 2012;
- g. Submission by Northland of an application for funding by April 1, 2012, or by the deadline date established by the Connecticut Housing Finance Agency (the "CHFA") for the Tax Credit Component;
- h. Issuance of a relocation notice by Northland to the residents of Church Street South for the Tax Credit Component of Phase One of the Project by January 1, 2013;
- i. Commencement of construction by Northland of the Tax Credit Component of Phase One by January 1, 2014; and
- j. Completion of construction by Northland of the Tax Credit Component of Phase One residential by December 31, 2015.

Failure to meet any of the aforementioned critical path milestones by any Party shall constitute a breach of the terms and conditions of this MOU and shall give cause to any Party to this MOU to terminate said MOU. Notwithstanding the foregoing, the obligation of Northland to commence construction by January 1, 2014 and to complete construction by December 31, 2015 is contingent upon and subject to Northland either obtaining a forward commitment of 2013 Low Income Housing Tax Credits (the "LIHTCs") in 2012 in an amount sufficient to enable it to provide financing for LIHTC

qualified units in a portion of the Phase One residential Project (the "Tax Credit Component") or Northland obtaining an allocation of LIHTCs in 2013 in an amount sufficient to enable it to provide financing for the LIHTC qualified units in the Tax Credit Component, or other suitable financing on terms acceptable to Northland that meets the needs of the Project moving forward.

6. **Fundamental Terms of Cooperation Agreement.** Following the execution and delivery of this MOU, the Parties shall negotiate, in good faith, the terms and conditions of the Cooperation Agreement, which shall, upon completion thereof (or upon completion of the Conceptual Master Plan, whichever is the later) be submitted to the City's Board of Aldermen for approval in accordance with the provisions of Section 4 above, following approval thereof by the respective decision making bodies of each of the other Parties. Without prejudice to the right of the Parties to negotiate such terms and conditions as the Parties deem necessary or desirable, it is agreed and understood that the following shall constitute fundamental terms and conditions to be contained (or addressed and modified by agreement between the Parties) in the Cooperation Agreement:

(a) **Developer**

(i) Northland shall be the developer of the Project. An affiliate of Northland shall be the managing member and/or General Partner for the Owner.

(ii) All major architectural and construction decisions for the Project shall be made by Northland in consultation with the City and Glendower. All final plans and specifications for the Project shall be subject to the prior written approval of the City and Glendower, which approval shall not be unreasonably withheld, delayed or conditioned.

(iii) The Project shall provide for a development fee to Northland or its affiliate up to the maximum amount allowable under a public or tax credit financing agreement, but not less than five percent (5%) of the aggregate hard and soft development costs (the "Development Fee"). The Development Fee shall be chargeable for each vertical development component of the Project and deemed earned and payable according to the following schedule for each component:

40% at commencement of construction;
40% pro rata in accordance with progress during construction;
20% at construction completion;

or upon such other schedule as may be required by any investors or lenders imposing the same subject to approval by Northland in its sole discretion.

(iv) Northland (and not the City or Glendower) shall provide all necessary completion guarantees for both Phase One and Phase Two of the Project to the extent required by the construction lender upon terms acceptable to Northland in its sole discretion.

(b) Unit and Income Mix

The Parties agree to the extent economically feasible and for such period as may be required by CHFA or an institutional lender to the Project, (i) no less than 20 percent of the total residential units to be developed at the Project shall be leased to families earning 120 percent or less of area median income (the "AMI"), adjusted for family size (the "Affordable Units"), and (ii) no less than sixty two and one-half percent of the Affordable Units at the Project shall be leased to families earning at or below 80 percent or less of AMI (the "Low Income Units").

(c) General Pre-Development Issues

(i) Except as described in Section 3 above, or expressly provided for in this Section 6(c), Northland shall manage all pre-development activities for both Phase One and Phase Two, including engagement and coordination of architects, engineers and general contractors, the preparation of traffic studies, market study and environmental and geotechnical testing to support the Project and application for all federal, state and local approvals required for the development of the Project, provided that the City and Glendower shall provide such technical support and assistance as may reasonably be required with respect thereto and shall have reasonable approval rights with respect to such engagements.

(ii) In certain agreed instances, the selection of consultants, firms and professionals will be coordinated with the City and Glendower. In instances where consultant services are being compensated from funding from the HUD Challenge Grant or other funds requested with the participation of HANH, Glendower and the City, then Northland, the City and Glendower shall agree upon the scope of work and responsible parties, and will share rights to any and all work product completed to the extent permissible under the applicable engagement agreements.

(iii) Following approval of the PDD and execution of the Cooperation Agreement, Northland and Glendower shall use good faith efforts to advance the Project in accordance with the Schedule. Northland, in consultation with Glendower, shall determine when the Project shall advance to the design and construction stage, based upon all relevant factors then existing including (without limitation) the adequacy of all funding commitments then available.

(d) Pre-Development Finance

(i) HANH, City, Glendower shall agree on a comprehensive predevelopment budget for eligible predevelopment expenses, including but not limited to demolition and relocation expenses, in an amount sufficient to enable Northland to cover all of the costs associated with commencing construction of Phase One by January 1, 2014 and to obtain approval of the PDD application by March 31, 2012. The Parties shall further

agree to the allocation of these expenses among the Parties. Upon agreement by the Parties of the predevelopment costs and the allocation of such costs among the parties, each shall provide documentation reasonably acceptable to all of the other Parties that it has sufficient capability to meet its obligation to fund its share of the predevelopment expenses. The Parties shall agree on a predevelopment budget and the allocation of costs set forth in said budget by September 1, 2011 or later if the Parties agree that more time finalize funding is needed.

(ii) In accordance with the Church Street South Challenge Grant Budget (the "Budget") a copy of which is attached hereto as Exhibit C and made a part hereof, Northland shall commit to funding \$650,000.00 of the pre development costs set forth in said budget for the Project to be applied to those categories in the amount indicated in the Budget, subject to any future modification of the Budget agreed upon by the Parties. The timing and use of such funding within the defined categories shall be subject to Northland's reasonable discretion. Northland's commitment shall be subject to the City's application of HUD Grant funds toward the Project as provided in 6(d)(iii) and shown on Exhibit C on a pari passu basis.

(iii) In accordance with the Resolution of the City's Board of Aldermen dated November 29, 2010, the City expects to receive the approximate sum of \$950,000.00 to advance affordable housing and transit oriented development plans adjacent to Union Station as a HUD Challenge Grant (the "HUD Challenge Grant") under the HUD-DOT-EPA Interagency Partnership for Sustainable Community. To the extent that the City receives the HUD Challenge Grant (and subject to obtaining all necessary approvals) the City shall apply the funds received in accordance with the Budget as presented in Exhibit C.

(e) General Financial Obligations

(i) Northland shall be ultimately responsible for seeking and obtaining all necessary financing for the Project. Northland shall have responsibility for the funding sources and the terms and conditions of all funding agreements, with the exception of the HUD Challenge Grant, which all parties have already made financial commitments to, pursuant to the terms of such grant application. Additionally, certain other funding will be pursued with the participation of HANH, Glendower and/or the City and will be subject to various requirements of those funding sources.

(ii) The City and Glendower shall agree to provide such assistance to Northland as may be reasonable with regard to obtaining of third party funding for the Project, including the application for public funds. It is agreed and understood that such funding may include LIHTC (both 4% and 9%), CHFA, funding from the Department of Economic and Community Development of the State of Connecticut, HUD funding and NMTC. Glendower, on behalf of the Project and with the prior approval and direction of

Northland, shall apply for, or facilitate the application of, available State and Federal tax credit financing and subsidy programs made available only through public authorities.

(iii) The City shall also agree to provide such assistance to Northland as may be reasonable with respect to Northland's efforts to obtain a sale and use tax exemption from the Connecticut Development Authority on equipment, machinery and construction materials used for the Project.

(iv) To the extent permissible at law, the Parties shall negotiate and agree upon the level of real estate taxation to be applicable to those residential units which are set aside for low income housing, such provisions to be set forth (if applicable) in the Cooperation Agreement.

(v) The City shall agree to provide such additional funding for infrastructure improvements required for the Project as may be agreed between the Parties.

(vi) Notwithstanding any other provision contained in this MOU, it is agreed and understood that the Cooperation Agreement shall expressly provide that any pre-development commitments for the of funding by the City of the Phase Two predevelopment costs, shall be contingent upon Northland or an approved affiliate of Northland (or an assignee of Northland expressly approved in writing by the City, Glendower and HANH) carrying out Phase One of the Project, and that in the event of any unapproved change in control of the Property and/or the Project to a third party or any material alteration in the Project prior to the completion of Phase One, without the express written consent of the City, then the City shall be entitled to discontinue any further funding for Phase Two provided for in the Cooperation Agreement and any amounts of such funding for Phase Two then held by Northland and provided by the City thereunder shall be immediately repaid to the City.

(f) Relocation

(i) Northland, Glendower and the City shall jointly develop a relocation plan (the "Relocation Plan") for residents at Church Street South. The Relocation Plan shall conform with all federal, state and/or municipal requirements. In accordance with the Schedule, it is anticipated that the Relocation Plan shall be submitted to HUD no later than July 15, 2011. Northland shall be responsible, with such reasonable assistance of Glendower and the City as Northland may request from time to time, to carry out relocation activities in accordance with the Relocation Plan and all applicable federal, state and municipal requirements.

(ii) The Relocation Plan shall be developed in consultation with Church Street South residents and to the extent commercially feasible will seek to address resident needs and housing preferences. In an attempt to accomplish this goal, the City has allocated a

portion of the HUD Challenge Grant Funds to complete a resident survey and assessment process, as shown in the Budget.

(iii) Northland agrees to submit a request to HUD to separate its existing HAP contract into two separate contracts to enable it to begin relocation no later than January 1, 2013 with respect to the residents necessary to be relocated for it to commence construction on Phase One by January 1, 2014.

(iv) HANH and the City shall agree to work together to obtain HUD's consent to a modification of the existing HAP Contract to allow immediate attrition and the restructuring of existing rent payments under the existing Church Street South HAP contract to 120% of fair market rents.

(v) Subject to the approval of HANH's Board of Directors and any required HUD approvals, HANH shall agree to provide One Hundred and Sixty (160) Section 8 Housing Choice Vouchers which may be used either to relocate residents or as Project Based Vouchers with rents set at 120% of market, subject to approval of HUD, for up to 100 families that are eligible for Section 8 Housing Choice Vouchers. The number of tenant based Housing Choice Vouchers to be provided under this clause by HANH for permanent or temporary relocation of existing residents shall be reduced by the amount of any tenant based vouchers or other assistance obtained by Northland for relocation of existing results as a result of Northland obtaining approval from HUD to separate its existing HAP contract into two separate contracts and opting out of one or both of the two new revised HAP contracts. The number of project based Housing Choice Vouchers to be provided under this clause shall be reduced by the number of existing residents who return to the Project after completion of construction with tenant based Housing Choice Vouchers that have been utilized as project based vouchers.

(v) Northland, Glendower and the City shall agree to work together to obtain from HUD additional Project Based Vouchers as needed with rents set at up to 120% of market for affordable units set aside in Phase One.

(vi) To assist with the permanent or temporary relocation of existing residents and subject to availability of units for this purposes and subject to the approval of HANH's Board of Directors and any required HUD approvals, HANH shall agree to provide up to fifty (50) affordable public housing units for Church Street residents to be relocated due to Phase One construction, in addition to the provision of vouchers, as described above,.

(vii) Subject to the approval of HANH's and Glendower's Boards of Directors, Glendower shall agree to provide services to support the relocation of all existing residents, which shall include legal support, community and resident interaction and implementation of the Relocation Plan; provided that Glendower shall be compensated for such support services as are described in the Real Estate Development and Financial

Advisory Consultant Services Agreement (the "Consultant Services Agreement") between Glendower and Northland dated July 29, 2010.

(viii) Northland shall agree to enter into a separate agreement with Glendower and HANH to develop a mutually acceptable Community Support Service Plan (the "CSS Plan") which CSS Plan shall provide for programs and services supporting low income residents within the Project. Northland shall have the primarily responsibility for the funding and implementation of the CSS Plan. To support the design and implementation of the CSS Plan, the City shall allocate funds from the HUD Challenge Grant in accordance with the Budget.

(ix) Northland shall develop a plan, which shall be subject to the reasonable approval of the City, for the continued operation of existing residential units at the Property prior to and during the construction of Phase One.

(x) Northland shall have responsibility for maintenance and repairs of existing residential units on site pursuant to the terms of its existing HAP Contract and in accordance with applicable state building codes and local ordinances.

(g) Staffing

(i) The Parties shall maintain adequate staffing, mutually acceptable to all Parties, to support the Project in order to maintain progress in accordance with the Schedule.

(ii) The Parties shall establish a schedule of at least bi-weekly meetings until such time as both the PDD and Cooperation Agreement have been approved and thereafter, a schedule of monthly meetings until completion of the Project.

(h) Operations

(i) The City shall retain ownership and the obligation to maintain and repair all public roads and streets (the "City Streets") throughout the Project as outlined in Section 3(a) above. The final version of the Plan to be presented to the Board of Aldermen shall clearly delineate the City Streets.

(ii) An affiliate of Northland (the "Property Manager") shall provide property management services for both Phase One and Phase Two of the Project. The property management contract shall contain customary terms, conditions and performance obligations and shall provide for compensation in the amount of 5% of gross rents received from the Project (the "Property Management Fee"). Northland acknowledges financing for the construction of the Affordable Units will require that certain management standards will be imposed on the operation and management of these Units as a condition of financing.

(i) Workforce Utilization Requirements As is customary with any City sponsored or funded project, Northland, in carrying out the Project, shall use good faith efforts to abide by all applicable workforce requirements, now or hereafter existing, including, without limitation, all Equal Employment Opportunity requirements and Small Business Construction Initiative requirements, all as more particularly described on Exhibit D, attached hereto and made a part hereof.

(j) Phase One Development

(i) As currently drafted, the Conceptual Master Plan calls for the Phase One site to be an area located on the triangular portion of the Property west of the former Columbus Avenue extension. The Phase One site area will include pads for the development of both residential and commercial space, which will be sequenced for construction at Northland's election based upon availability of funding and market conditions.

(ii) Northland shall provide 60% of the Affordable Units in Phase One, the type and mix of such units to be negotiated and agreed between the Parties.

(iii) During Phase One construction, Northland shall retain existing residential housing on the remaining portion of the Property east of the former Columbus Avenue extension to accommodate approximately one hundred (100) residents. At the completion of Phase One construction or earlier, if possible, the remainder of the residents shall be relocated and the site shall be cleared for future construction.

(iv) If Northland desires to obtain Low Income Housing Tax Credit financing from the Connecticut Housing Financing Agency it shall use good faith efforts to submit applications for such financing for the residential component of Phase One on or before April 1, 2012. Any LIHTC application submitted will be coordinated with HANH and Glendower.

(v) The Schedule shall contain appropriate milestones for development of Phase Two as shall be provided for in the approved PDD. Otherwise, the Cooperation Agreement shall contain such additional details as concerns Phase Two as shall then be available.

7. Other Agreements.

(a) Development Agreement Concurrent with or subsequent to the execution and delivery of the Cooperation Agreement, Owner, Northland and Glendower or an affiliate of Glendower shall execute and deliver a mutually acceptable development agreement with respect to the Project, as such agreement relates to the relationship between Northland and Glendower.

(b) Partnership Agreement Prior to or concurrent with the execution of the Cooperation Agreement, Owner, Northland (or one or more of its or their affiliates) and Glendower (and any applicable subsidiaries or affiliates) shall enter into an operating agreement or partnership agreement, in a form acceptable to Northland, HANH and Glendower, pursuant to which (inter alia):

(i) To the extent it fulfills its obligations contained in the Cooperation Agreement, including without limitation its commitments identified in 2(e), 6(d) and 6(e), Glendower or its designee shall be entitled to receive a portion of the Development Fee for any vertical development component or Project phase equal to the proportion of capital contributed to or funds loaned by or through Glendower or its affiliate to the total capitalization of the respective vertical development component or Project phase multiplied by 50%. Glendower's contribution may (without limitation) include:

(1.) Tax credit equity made available through Glendower or its affiliate on terms acceptable to Northland.

2.) The value of HCVs or Project based vouchers contributed by Glendower or its affiliate toward tenant relocation based upon a valuation formula agreed upon by Northland and Glendower.

(3.) Any actual capital contribution or loan by Glendower or the City (and expressly excluding any HUD Challenge Grant funds) toward the direct development costs of the Project.

(4) Any actual cost owed but not paid by Northland to Glendower for services performed by Glendower, including under the Consultant Services Agreement executed between Glendower and Northland dated July 29, 2010, as agreed upon by the Parties.

(ii) Neither Glendower nor its affiliate shall be entitled to receive a developer fee on a component or the vertical development or development phase, where it has not made a capital contribution.

(iii) An affiliate of Northland shall be named as the managing member of the LLC or general partner of the partnership with such decision making authority as shall be mutually agreed between the Parties.

8. Amendments. This MOU may be modified only by a written amendment executed by all of the Parties.

9. Miscellaneous.

(a) Unless otherwise specifically provided herein, whenever consent or approval of the Parties is required or referenced in this MOU, such consent or approval shall not be unreasonably withheld or delayed.

(b) In any case where Northland is required to do any act, delays caused by or resulting from Acts of God, war, civil commotion, fire, flood or other casualty, labor difficulties, shortages of labor or materials or equipment in the ordinary course of trade, government regulations or other causes not reasonably within Northland's control shall not be counted in determining the time during which such act shall be completed, whether such time be designated by fixed date, a fixed time or "a reasonable time", and such time shall be deemed to be extended by the period of such delay.

(c) None of the Parties shall record this MOU.

[SIGNATURE PAGE(S) FOLLOW]

IN WITNESS WHEREOF, the Parties have executed and delivered this Memorandum of Understand, in one or more counterparts, which together shall form one and the same instrument, the day and date first above written.

CHURCH STREET NEW HAVEN LLC

By: 

Name:

Title:

NORTHLAND DEVELOPMENT LLC

By: 

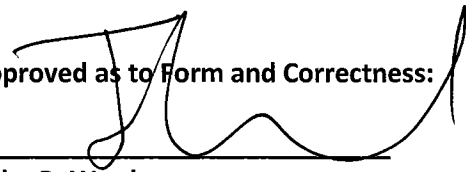
Name:

Title:

CITY OF NEW HAVEN


Kelly Murphy, AICP
Economic Development Administrator

Approved as to Form and Correctness:


John R. Ward
Special Counsel to
Economic Development

THE HOUSING AUTHORITY
OF THE CITY OF NEW HAVEN


Dr. Karen Dubois-Walton
Executive Director

GLENDOWER GROUP, INC


Jimmy L. Miller

Exhibit A
The Property

Portion of Parcel L-3
New Haven, CT

DESCRIPTION

all that certain piece or parcel of land containing 20.7225 square feet more or less, situated in the City and County of New Haven, State of Connecticut, Church Street Redevelopment and Renewal Project, said parcel being more particularly described as follows:

Beginning at a point in the division line between land of the Greater New Haven JAYCEES, Inc., (or their non-profit housing corporation), being designated Parcel L-3 and land of the City of New Haven, said point being 98.65 feet southerly of the southerly street line of Columbus Avenue when measured along said above division line;

Thence bearing South 9 degrees 18 minutes 51 seconds East through building #35, a distance of 15.35 feet;

Thence bearing North 80 degrees 41 minutes 10 seconds East along the southerly wall line of building #35 and land of the City of New Haven, a distance of 1.35 feet;

Thence bearing North 9 degrees 18 minutes 51 seconds West along the easterly face of building #35 and land of the City of New Haven, a distance of 15.35 feet;

Thence bearing South 80 degrees 41 minutes 10 seconds West along the northerly face of building #35 and land of the City of New Haven, a distance of 1.35 feet to the point of beginning.

Said above described piece or parcel of land being more particularly depicted on a map prepared by Clarence Blair Associates, Inc., Civil Engineers and Surveyors, New Haven, Conn., entitled:

"Plan of Land Owned by The City of New Haven - New Haven, Conn.", Scale 1" = 20', dated August 24, 1970, as revised January, 1971, a copy of which map shall be filed in the Land Records of the City of New Haven.

Parcel K-3
Block K
Church Street Redevelopment
New Haven, Connecticut

DESCRIPTION

A certain parcel of land containing 10,989 square feet as shown on a map entitled "Blocks K & L, Church Street Redevelopment, New Haven, Connecticut, Surveyed by Cahn Engineers, New Haven, Connecticut, Scale 1"= 40', dated July 1967, revised August 15, 1967 and January 29, 1968", said parcel of land being more particularly bounded and described as follows:

Commencing at a point, said point being the Southwesterly extremity of the premises herein described and further having coordinates North 170,002.66 and East 550,943.21 on the Connecticut Geodetic Grid System;

Thence running North 18°-18'-51" West 46.00' along land now or formerly of the City of New Haven;

Thence running North 71°-41'-09" East 34.64" along land now or formerly of the City of New Haven;

Thence running North 9°-18'-52" West 33.95' along land now or formerly of the City of New Haven;

Thence running North 80°-41'-09" East 132.69' along land now or formerly of the City of New Haven;

Thence running South 18°-18'-51" East 58.78' along land now or formerly of the City of New Haven;

Thence running South 71°-41'-09" West 171.00' along land now or formerly of the City of New Haven to the point and place of beginning.

RIDER TO PARCEL K-3, BLOCK K

Together with a right of way for purposes of ingress and egress in, to, over and upon that parcel of land adjoining Parcel K-3 on the West, South and East and fronting on South Orange Street and Church Street South as shown on the above described map.

Parcel K-4
Block K
Church Street Redevelopment
New Haven, Connecticut

DESCRIPTION

A certain parcel of land containing 38,957 square feet as shown on a map entitled "Blocks K. & L, Church Street Redevelopment, New Haven, Connecticut, Surveyed by Cahn Engineers, New Haven, Connecticut, Scale 1"= 40', dated July 1967, revised August 15, 1967 and January 29, 1968 and May 1968", said parcel of land being more particularly bounded and described as follows:

Commencing at a point in the Easterly street line of Church Street, said point being 138.00' Northerly of the intersection of the Northerly street line of Columbus Avenue and the Easterly street line of Church Street, as measured along the Easterly street line of the aforementioned Church Street, and further having coordinates North 169,790.34 and East 550,682.15 on the Connecticut Geodetic Grid System;

Thence running North 73°-41'-10" East 256.52' along land now or formerly of the City of New Haven;

Thence running South 16°-18'-50" East 68.89" along land now or formerly of the City of New Haven;

Thence running South 9°-18'-51" East 92.81' along land now or formerly of the City of New Haven;

Thence running 167.58' in the Westerly direction along the arc of a curve of radius 4,800.00' and concave to the South, said arc of a curve being the Northerly street line of Columbus Avenue;

Thence running South 78°-17'-27" West 89.31' along the Northerly street line of Columbus Avenue;

Thence running 9.68' along the arc of a curve of radius 6.00' and concave to the Northeast;

Thence running North 9°-18'-50.5" West 131.74' along the Easterly street line of Church Street to the point and place of commencement.

Parcel K-5
Block K
Church Street Redevelopment
New Haven, Connecticut

DESCRIPTION

A certain parcel of land containing 63,153 square feet as shown on a map entitled "Blocks K & L, Church Street Redevelopment, New Haven, Connecticut, Surveyed by Cahn Engineers, New Haven, Connecticut, Scale 1"=40', dated July 1967, revised August 15, 1967, January 29, 1968, May 1968 and July 1968", said parcel of land being more particularly bounded and described as follows:

Commencing at a point in the Northerly street line of Columbus Avenue, said point being the Southwesterly extremity of the premises herein described and further having coordinates North 169,708.00 and East 550,982.44 on the Connecticut Geodetic Grid System;

Thence running North 9°-18'-51" West 101.00' along land now or formerly of the City of New Haven;

Thence running North 25°-32'-44" East 69.13" along land now or formerly of the City of New Haven;

Thence running North 61°-18'-27" East 60.00' along land now or formerly of the City of New Haven;

Thence running South 25°-14'-16" East 57.00' along land now or formerly of the City of New Haven;

Thence running North 82°-30'-44" East 48.00' along land now or formerly of the City of New Haven;

Thence running North 12°-15'-44" East 160.00' along land now or formerly of the City of New Haven;

Thence running South 77°-44'-16" East 22.00' along land now or formerly of the City of New Haven;

Thence running North 12°-15'-44" East 39.00' along land now or formerly of the City of New Haven;

Thence running South 77°-44'-16" East 21.00' along land now or formerly of the City of New Haven;

Thence running 43.13' along the arc of a curve of radius 28.00' and concave to the Southeast, said curve running along land now or formerly of the City of New Haven;

Thence running North $84^{\circ}-30'-44''$ East 49.45' along land now or formerly of the City of New Haven;

Thence running South $5^{\circ}-29'-16''$ East 58.60' along the Westerly street line of South Orange Street;

Thence running South $5^{\circ}-24'-30''$ East 181.40' along the Westerly street line of South Orange Street;

Thence running South $84^{\circ}-35'-30''$ West 40.15' along land now or formerly of the City of New Haven;

Thence running South $7^{\circ}-29'-16''$ East 90.00' along land now or formerly of the City of New Haven;

Thence running South $82^{\circ}-30'-44''$ West 67.93' along the Northerly street line of Columbus Avenue;

Thence running 166.07' in the Westerly direction along the arc of a curve of radius 4,800.00' and concave to the South, said arc of a curve being the Northerly street line of Columbus Avenue to the point and place of commencement.

Parcel L-1
Block L
Church Street Redevelopment
New Haven, Connecticut

DESCRIPTION

A certain parcel of land containing 85,464 square feet as shown on a map entitled "Blocks K & L, Church Street Redevelopment, New Haven, Connecticut, Surveyed by Cahn Engineers, New Haven, Connecticut, Scale 1"= 40', dated July 1967, revised August 15, 1967, January 29, 1968, May 1968 and August 1968", said parcel of land being more particularly bounded and described as follows:

Commencing at a point in the Easterly street line of Church Street, said point being having coordinates North 169,120.37 and East 550,792.03 on the Connecticut Geodetic Grid System;

Thence running North 80°-41'-09" East 191.85' along land now or formerly of the City of New Haven;

Thence running North 35°-01'-03" East 155.36' along land now or formerly of the City of New Haven;

Thence running North 80°-01'-03" East 19.80' along land now or formerly of the City of New Haven;

Thence running North 35°-01'-03" East 39.56' along land now or formerly of the City of New Haven;

Thence running South 68°-25'-18" East 52.55' along land now or formerly of the City of New Haven;

Thence running South 54°-58'-57" East 19.17' along land now or formerly of the City of New Haven;

Thence running South 80°-46'-16" East 31.09' along land now or formerly of the City of New Haven;

Thence running South 54°-58'-57" East 19.17" along land now or formerly of the City of New Haven;

Thence running South 35°-01'-03" West 249.92' along the Northwesterly street line of Union Avenue;

Thence running South 34°-58'-10" West 230.80' along the Northwesterly street line of Union Avenue;

Thence running South $80^{\circ}-41'-09''$ West 113.71' along land now or formerly of the City of New Haven;

Thence running 6.01' in the Northerly direction along a curve of radius 50.00' and concave to the East, said arc of a curve being the Easterly street line of Church Street.

Thence running North $9^{\circ}-18'-50.5''$ West 262' along the Easterly street line of Church Street to the point and place of commencement.

Block L
Church Street Redevelopment
New Haven, Connecticut

DESCRIPTION

A certain parcel of land containing 89,625 square feet as shown on a map entitled "Blocks K & L, Church Street Redevelopment, New Haven, Connecticut, Surveyed by Cahn Engineers, New Haven, Connecticut, Scale 1"= 40', dated July 1967, revised August 15, 1967, January 29, 1968 and May 1968", said parcel of land being more particularly bounded and described as follows:

Commencing at a point in the Easterly street line of Church Street, said point having coordinates North 169,241.92 and East 550,772.09 on the Connecticut Geodetic Grid System;

Thence running North 9°-18'-50.5" West 256.00' along the Easterly street line of Church Street;

Thence running North 80°-41'-09" East 33.00" along land now or formerly of the City of New Haven;

Thence running North 11°-42'-33" West 55.00' along land now or formerly of the City of New Haven;

Thence running North 78°-17'-27" East 69.36' along the Southerly Street line of Columbus Avenue;

Thence running 163.06' in an Easterly direction along a curve of radius 4,692.00' and concave to the South, said curve being the Southerly street line of Columbus Avenue;

Thence running South 9°-18'-51" East 114.00' along land now or formerly of the City of New Haven;

Thence running South 80°-41'-10" West 42.00' along land now or formerly of the City of New Haven;

Thence running South 9°-18'-51" East 40.05' along land now or formerly of the City of New Haven;

Thence running South 54°-58'-57" East 57.16" along land now or formerly of the City of New Haven;

Thence running North 35°-01'-03" East 6.00' along land now or formerly of the City of New Haven;

Thence running South 54°-58'-57" East 45.00' along land now or formerly of the City of New Haven;

Thence running South $41^{\circ}-32'-36''$ East 59.12' along land now or formerly of the City of New Haven;

Thence running South $35^{\circ}-01'-03''$ West 33.05' along land now or formerly of the City of New Haven;

Thence running South $9^{\circ}-58'-57''$ East 20.99' along land now or formerly of the City of New Haven;

Thence running South $80^{\circ}-01'-03''$ West 12.50' along land now or formerly of the City of New Haven;

Thence running South $35^{\circ}-01'-03''$ West 132.52" along land now or formerly of the City of New Haven;

Thence running North $54^{\circ}-58'-57''$ West 76.50' along land now or formerly of the City of New Haven;

Thence running North $35^{\circ}-01'-03''$ East 30.00' along land now or formerly of the City of New Haven;

Thence running North $54^{\circ}-58'-57''$ West 48.64' along land now or formerly of the City of New Haven;

Thence running South $80^{\circ}-41'-09''$ West 98.27" along land now or formerly of the City of New Haven;

Thence running South $9^{\circ}-18'-50''$ East 16.00' along land now or formerly of the City of New Haven;

Thence running South $80^{\circ}-41'-09''$ West 35.00' along land now or formerly of the City of New Haven;

Parcel L-2
Block L
Church Street Redevelopment
New Haven, Connecticut

DESCRIPTION

A certain parcel of land containing 72,394 square feet as shown on a map entitled "Blocks K & L, Church Street Redevelopment, New Haven, Connecticut, Surveyed by Cahn Engineers, New Haven, Connecticut, Scale 1"= 40', dated July 1967, revised August 15, 1967 and July 1968", said parcel of land being more particularly bounded and described as follows:

Commencing at a point in the Southerly street line of Columbus Avenue, said point having coordinates North 169,601.43 and East 550,999.91 on the Connecticut Geodetic Grid System;

Thence running 162.64' in an Easterly direction along the arc of a curve of radius 4,692.00' and concave to the South, said arc being the Southerly street line of Columbus Avenue;

Thence running North 82°-30'-44" East 79.75' along the Southerly street line of Columbus Avenue;

Thence running South 7°-29'-16" East 153.34' along land now or formerly of the City of New Haven;

Thence running South 54°-58'-57" East 94.13' along land now or formerly of the City of New Haven;

Thence running South 35°-01'-03" West 177.33' along the Southerly street line of Union Avenue;

Thence running North 54°-58'-57" West 19.17' along land now or formerly of the City of New Haven;

Thence running North 80°-46'-16" West 31.09' along land now or formerly of the City of New Haven;

Thence running North 54°-58'-57" West 19.17" along land now or formerly of the City of New Haven;

Thence running North 68°-25'-18" West 49.53' along land now or formerly of the City of New Haven;

Thence running North 41°-32'-36" West 94.69' along land now or formerly of the City of New Haven;

Thence running North $54^{\circ}-58'-57''$ West 47.36' along land now or formerly of the City of New Haven;

Thence running North $35^{\circ}-01'-03''$ East 40.00' along land now or formerly of the City of New Haven;

Thence running North $54^{\circ}-58'-57''$ West 34.96' along land now or formerly of the City of New Haven;

Thence running North $9^{\circ}-18'-51''$ West 122.43' along land now or formerly of the City of New Haven to the point and place of commencement.

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Portion of Parcel L-3
New Haven, CT

DESCRIPTION

all that certain piece or parcel of land containing 20.7225 square feet more or less, situated in the City and County of New Haven, State of Connecticut, Church Street Redevelopment and Renewal Project, said parcel being more particularly described as follows:

Beginning at a point in the division line between land of the Greater New Haven JAYCEES, Inc., (or their non-profit housing corporation), being designated Parcel L-3 and land of the City of New Haven, said point being 98.65 feet southerly of the southerly street line of Columbus Avenue when measured along said above division line;

Thence bearing South 9 degrees 18 minutes 51 seconds East through building #35, a distance of 15.35 feet;

Thence bearing North 80 degrees 41 minutes 10 seconds East along the southerly wall line of building #35 and land of the City of New Haven, a distance of 1.35 feet;

Thence bearing North 9 degrees 18 minutes 51 seconds West along the easterly face of building #35 and land of the City of New Haven, a distance of 15.35 feet;

Thence bearing South 80 degrees 41 minutes 10 seconds West along the northerly face of building #35 and land of the City of New Haven, a distance of 1.35 feet to the point of beginning.

Said above described piece or parcel of land being more particularly depicted on a map prepared by Clarence Blair Associates, Inc., Civil Engineers and Surveyors, New Haven, Conn., entitled:

"Plan of Land Owned by The City of New Haven - New Haven, Conn.", Scale 1" = 20', dated August 24, 1970, as revised January, 1971, a copy of which map shall be filed in the Land Records of the City of New Haven.

Parcel K-3
Block K
Church Street Redevelopment
New Haven, Connecticut

DESCRIPTION

A certain parcel of land containing 10,989 square feet as shown on a map entitled "Blocks K & L, Church Street Redevelopment, New Haven, Connecticut, Surveyed by Cahn Engineers, New Haven, Connecticut, Scale 1"= 40', dated July 1967, revised August 15, 1967 and January 29, 1968", said parcel of land being more particularly bounded and described as follows:

Commencing at a point, said point being the Southwesterly extremity of the premises herein described and further having coordinates North 170,002.66 and East 550,943.21 on the Connecticut Geodetic Grid System;

Thence running North 18°-18'-51" West 46.00' along land now or formerly of the City of New Haven;

Thence running North 71°-41'-09" East 34.64" along land now or formerly of the City of New Haven;

Thence running North 9°-18'-52" West 33.95' along land now or formerly of the City of New Haven;

Thence running North 80°-41'-09" East 132.69' along land now or formerly of the City of New Haven;

Thence running South 18°-18'-51" East 58.78' along land now or formerly of the City of New Haven;

Thence running South 71°-41'-09" West 171.00' along land now or formerly of the City of New Haven to the point and place of beginning.

RIDER TO PARCEL K-3, BLOCK K

Together with a right of way for purposes of ingress and egress in, to, over and upon that parcel of land adjoining Parcel K-3 on the West, South and East and fronting on South Orange Street and Church Street South as shown on the above described map.

Parcel K-4
Block K
Church Street Redevelopment
New Haven, Connecticut

DESCRIPTION

A certain parcel of land containing 38,957 square feet as shown on a map entitled "Blocks K & L, Church Street Redevelopment, New Haven, Connecticut, Surveyed by Cahn Engineers, New Haven, Connecticut, Scale 1"= 40', dated July 1967, revised August 15, 1967 and January 29, 1968 and May 1968", said parcel of land being more particularly bounded and described as follows:

Commencing at a point in the Easterly street line of Church Street, said point being 138.00' Northerly of the intersection of the Northerly street line of Columbus Avenue and the Easterly street line of Church Street, as measured along the Easterly street line of the aforementioned Church Street, and further having coordinates North 169,790.34 and East 550,682.15 on the Connecticut Geodetic Grid System;

Thence running North $73^{\circ}-41'-10''$ East 256.52' along land now or formerly of the City of New Haven;

Thence running South $16^{\circ}-18'-50''$ East 68.89' along land now or formerly of the City of New Haven;

Thence running South $9^{\circ}-18'-51''$ East 92.81' along land now or formerly of the City of New Haven;

Thence running 167.58' in the Westerly direction along the arc of a curve of radius 4,800.00' and concave to the South, said arc of a curve being the Northerly street line of Columbus Avenue;

Thence running South $78^{\circ}-17'-27''$ West 89.31' along the Northerly street line of Columbus Avenue;

Thence running 9.68' along the arc of a curve of radius 6.00' and concave to the Northeast;

Thence running North $9^{\circ}-18'-50.5''$ West 131.74' along the Easterly street line of Church Street to the point and place of commencement.

Parcel K-5
Block K
Church Street Redevelopment
New Haven, Connecticut

DESCRIPTION

A certain parcel of land containing 63,153 square feet as shown on a map entitled "Blocks K & L, Church Street Redevelopment, New Haven, Connecticut, Surveyed by Cahn Engineers, New Haven, Connecticut, Scale 1"= 40', dated July 1967, revised August 15, 1967, January 29, 1968, May 1968 and July 1968", said parcel of land being more particularly bounded and described as follows:

Commencing at a point in the Northerly street line of Columbus Avenue, said point being the Southwesterly extremity of the premises herein described and further having coordinates North 169,708.00 and East 550,982.44 on the Connecticut Geodetic Grid System;

Thence running North 9°-18'-51" West 101.00' along land now or formerly of the City of New Haven;

Thence running North 25°-32'-44" East 69.13" along land now or formerly of the City of New Haven;

Thence running North 61°-18'-27" East 60.00' along land now or formerly of the City of New Haven;

Thence running South 25°-14'-16" East 57.00' along land now or formerly of the City of New Haven;

Thence running North 82°-30'-44" East 48.00' along land now or formerly of the City of New Haven;

Thence running North 12°-15'-44" East 160.00' along land now or formerly of the City of New Haven;

Thence running South 77°-44'-16" East 22.00' along land now or formerly of the City of New Haven;

Thence running North 12°-15'-44" East 39.00' along land now or formerly of the City of New Haven;

Thence running South 77°-44'-16" East 21.00' along land now or formerly of the City of New Haven;

Thence running 43.13' along the arc of a curve of radius 28.00' and concave to the Southeast, said curve running along land now or formerly of the City of New Haven;

Thence running North $84^{\circ}-30'-44''$ East 49.45' along land now or formerly of the City of New Haven;

Thence running South $5^{\circ}-29'-16''$ East 58.60' along the Westerly street line of South Orange Street;

Thence running South $5^{\circ}-24'-30''$ East 181.40' along the Westerly street line of South Orange Street;

Thence running South $84^{\circ}-35'-30''$ West 40.15' along land now or formerly of the City of New Haven;

Thence running South $7^{\circ}-29'-16''$ East 90.00' along land now or formerly of the City of New Haven;

Thence running South $82^{\circ}-30'-44''$ West 67.93' along the Northerly street line of Columbus Avenue;

Thence running 166.07' in the Westerly direction along the arc of a curve of radius 4,800.00' and concave to the South, said arc of a curve being the Northerly street line of Columbus Avenue to the point and place of commencement.

Parcel L-1
Block L
Church Street Redevelopment
New Haven, Connecticut

DESCRIPTION

A certain parcel of land containing 85,464 square feet as shown on a map entitled "Blocks K & L, Church Street Redevelopment, New Haven, Connecticut, Surveyed by Cahn Engineers, New Haven, Connecticut, Scale 1"= 40', dated July 1967, revised August 15, 1967, January 29, 1968, May 1968 and August 1968", said parcel of land being more particularly bounded and described as follows:

Commencing at a point in the Easterly street line of Church Street, said point being having coordinates North 169,120.37 and East 550,792.03 on the Connecticut Geodetic Grid System;

Thence running North 80°-41'-09" East 191.85' along land now or formerly of the City of New Haven;

Thence running North 35°-01'-03" East 155.36" along land now or formerly of the City of New Haven;

Thence running North 80°-01'-03" East 19.80' along land now or formerly of the City of New Haven;

Thence running North 35°-01'-03" East 39.56' along land now or formerly of the City of New Haven;

Thence running South 68°-25'-18" East 52.55' along land now or formerly of the City of New Haven;

Thence running South 54°-58'-57" East 19.17' along land now or formerly of the City of New Haven;

Thence running South 80°-46'-16" East 31.09' along land now or formerly of the City of New Haven;

Thence running South 54°-58'-57" East 19.17" along land now or formerly of the City of New Haven;

Thence running South 35°-01'-03" West 249.92' along the Northwesterly street line of Union Avenue;

Thence running South 34°-58'-10" West 230.80' along the Northwesterly street line of Union Avenue;

Thence running South $80^{\circ}-41'-09''$ West 113.71' along land now or formerly of the City of New Haven;

Thence running 6.01' in the Northerly direction along a curve of radius 50.00' and concave to the East, said arc of a curve being the Easterly street line of Church Street.

Thence running North $9^{\circ}-18'-50.5''$ West 262' along the Easterly street line of Church Street to the point and place of commencement.

Block L
Church Street Redevelopment
New Haven, Connecticut

DESCRIPTION

A certain parcel of land containing 89,625 square feet as shown on a map entitled "Blocks K & L, Church Street Redevelopment, New Haven, Connecticut, Surveyed by Cahn Engineers, New Haven, Connecticut, Scale 1"= 40', dated July 1967, revised August 15, 1967, January 29, 1968 and May 1968", said parcel of land being more particularly bounded and described as follows:

Commencing at a point in the Easterly street line of Church Street, said point having coordinates North 169,241.92 and East 550,772.09 on the Connecticut Geodetic Grid System;

Thence running North 9°-18'-50.5" West 256.00' along the Easterly street line of Church Street;

Thence running North 80°-41'-09" East 33.00" along land now or formerly of the City of New Haven;

Thence running North 11°-42'-33" West 55.00' along land now or formerly of the City of New Haven;

Thence running North 78°-17'-27" East 69.36' along the Southerly Street line of Columbus Avenue;

Thence running 163.06' in an Easterly direction along a curve of radius 4,692.00' and concave to the South, said curve being the Southerly street line of Columbus Avenue;

Thence running South 9°-18'-51" East 114.00' along land now or formerly of the City of New Haven;

Thence running South 80°-41'-10" West 42.00' along land now or formerly of the City of New Haven;

Thence running South 9°-18'-51" East 40.05' along land now or formerly of the City of New Haven;

Thence running South 54°-58'-57" East 57.16" along land now or formerly of the City of New Haven;

Thence running North 35°-01'-03" East 6.00' along land now or formerly of the City of New Haven;

Thence running South 54°-58'-57" East 45.00' along land now or formerly of the City of New Haven;

Thence running South $41^{\circ}-32'-36''$ East 59.12' along land now or formerly of the City of New Haven;

Thence running South $35^{\circ}-01'-03''$ West 33.05' along land now or formerly of the City of New Haven;

Thence running South $9^{\circ}-58'-57''$ East 20.99' along land now or formerly of the City of New Haven;

Thence running South $80^{\circ}-01'-03''$ West 12.50' along land now or formerly of the City of New Haven;

Thence running South $35^{\circ}-01'-03''$ West 132.52' along land now or formerly of the City of New Haven;

Thence running North $54^{\circ}-58'-57''$ West 76.50' along land now or formerly of the City of New Haven;

Thence running North $35^{\circ}-01'-03''$ East 30.00' along land now or formerly of the City of New Haven;

Thence running North $54^{\circ}-58'-57''$ West 48.64' along land now or formerly of the City of New Haven;

Thence running South $80^{\circ}-41'-09''$ West 98.27' along land now or formerly of the City of New Haven;

Thence running South $9^{\circ}-18'-50''$ East 16.00' along land now or formerly of the City of New Haven;

Thence running South $80^{\circ}-41'-09''$ West 35.00' along land now or formerly of the City of New Haven;

Parcel L-2
Block L
Church Street Redevelopment
New Haven, Connecticut

DESCRIPTION

A certain parcel of land containing 72,394 square feet as shown on a map entitled "Blocks K & L, Church Street Redevelopment, New Haven, Connecticut, Surveyed by Cahn Engineers, New Haven, Connecticut, Scale 1"= 40', dated July 1967, revised August 15, 1967 and July 1968", said parcel of land being more particularly bounded and described as follows:

Commencing at a point in the Southerly street line of Columbus Avenue, said point having coordinates North 169,601.43 and East 550,999.91 on the Connecticut Geodetic Grid System;

Thence running 162.64' in an Easterly direction along the arc of a curve of radius 4,692.00' and concave to the South, said arc being the Southerly street line of Columbus Avenue;

Thence running North 82°-30'-44" East 79.75' along the Southerly street line of Columbus Avenue;

Thence running South 7°-29'-16" East 153.34" along land now or formerly of the City of New Haven;

Thence running South 54°-58'-57" East 94.13' along land now or formerly of the City of New Haven;

Thence running South 35°-01'-03" West 177.33' along the Southerly street line of Union Avenue;

Thence running North 54°-58'-57" West 19.17' along land now or formerly of the City of New Haven;

Thence running North 80°-46'-16" West 31.09' along land now or formerly of the City of New Haven;

Thence running North 54°-58'-57" West 19.17" along land now or formerly of the City of New Haven;

Thence running North 68°-25'-18" West 49.53' along land now or formerly of the City of New Haven;

Thence running North 41°-32'-36" West 94.69' along land now or formerly of the City of New Haven;

Thence running North $54^{\circ}-58'-57''$ West 47.36' along land now or formerly of the City of New Haven;

Thence running North $35^{\circ}-01'-03''$ East 40.00' along land now or formerly of the City of New Haven;

Thence running North $54^{\circ}-58'-57''$ West 34.96' along land now or formerly of the City of New Haven;

Thence running North $9^{\circ}-18'-51''$ West 122.43' along land now or formerly of the City of New Haven to the point and place of commencement.

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EXHIBIT B
CHURCH STREET SOUTH REDEVELOPMENT SCHEDULE FOR PHASE ONE OF THE PROJECT

**CHURCH STREET SOUTH
NEW HAVEN, CT
CONCEPTUAL PROJECT SCHEDULE**

Last Updated:
May 20, 2011

ID	Task Name	Start	Finish
1	CITY AGREEMENTS	Mon 11/1/10	Fri 3/30/12
2	Memorandum of Understanding	Mon 11/1/10	Fri 5/27/11
5	City Cooperation Agreement	Mon 5/30/11	Fri 9/30/11
8	HANH Participation Agreement	Mon 5/30/11	Fri 9/16/11
11	Board of Alderman Approval	Mon 10/3/11	Fri 3/30/12
15			
16	DEVELOPMENT MASTERPLAN	Mon 11/1/10	Mon 10/17/11
17	Concept Plan Development	Mon 11/1/10	Fri 6/24/11
18	Market Study	Tue 4/19/11	Mon 6/27/11
21	Concept Plan Completion	Tue 6/28/11	Mon 7/18/11
22	Site Engineering / Development	Mon 6/27/11	Fri 9/16/11
23	Architectural Development	Tue 7/19/11	Mon 9/26/11
24	Traffic Engineering	Mon 5/23/11	Fri 7/15/11
26	Geotechnical Engineering	Tue 7/19/11	Mon 9/12/11
29	Approval of PDD Modification by PDD Property Owners	Tue 7/19/11	Thu 9/1/11
30	Project Narrative	Tue 9/13/11	Mon 10/17/11
31			
32	PDD APPROVALS	Mon 10/17/11	Fri 3/30/12
39			
40	STATE TRAFFIC COMMISSION	Fri 7/29/11	Fri 1/27/12
43			
44	INLAND WATERWAYS PERMIT	Mon 10/17/11	Mon 12/26/11
48			
49	ARCHITECTURAL & ENGINEERING - PHASE ONE	Wed 11/30/11	Fri 11/28/14
50	Residential Component - Tax Credit Component	Wed 11/30/11	Mon 5/27/13
58	Other Residential Component	Fri 4/13/12	Wed 8/14/13
64	Commercial Component	Mon 9/17/12	Fri 11/28/14
70			
71	DEVELOPMENT APPROVALS - PHASE ONE	Tue 1/10/12	Fri 4/12/13
72	Tax Credit Residential Component	Tue 1/10/12	Tue 3/20/12
76	Other Phase One Residential Component	Wed 7/4/12	Wed 9/12/12
80	Commercial Component	Fri 1/4/13	Fri 4/12/13
84			
85	RELOCATION - PHASE ONE	Mon 6/13/11	Mon 12/30/13
86	Relocation Plan Development	Mon 6/13/11	Tue 1/1/13
95	Relocation Plan Implementation	Tue 1/1/13	Mon 12/30/13
99			
100	FINANCING - PHASE ONE	Tue 4/3/12	Wed 7/3/13
101	9% LIHTC Financing Through CHFA Credit Component	Tue 4/3/12	Wed 7/3/13
107	HUD 221(d)(4) FINANCING	Mon 8/6/12	Mon 12/24/12
108	Tax Credit Component	Mon 8/6/12	Mon 12/24/12
111	Other Phase One Residential Component	Wed 9/12/12	Wed 12/5/12
114	HUD Choice Neighborhoods Implementation Grant / Other HUD Programs	Tue 4/3/12	Tue 6/26/12
117			
118	PRECONSTRUCTION - PHASE ONE	Tue 5/28/13	Fri 3/20/15
119	Tax Credit Component	Tue 5/28/13	Mon 12/30/13
124	Other Phase One Residential Component	Thu 8/15/13	Mon 12/30/13
129	Commercial Component	Mon 12/1/14	Fri 3/20/15
134			
135	CONSTRUCTION - PHASE ONE	Thu 1/2/14	Fri 4/14/17
136	Tax Credit Component	Thu 1/2/14	Wed 1/27/16
140	Other Phase One Residential Component	Thu 1/2/14	Wed 1/27/16
144	Phase One Commercial Component	Mon 3/23/15	Fri 4/14/17
148			
149	ARCHITECTURAL & ENGINEERING - PHASE TWO	Tue 12/31/13	Fri 9/9/16
162			
163	DEVELOPMENT APPROVALS - PHASE TWO	Mon 5/19/14	Fri 10/16/15
172			
173	RELOCATION - PHASE TWO	Thu 7/30/15	Wed 7/27/16
177			
178	FINANCING - PHASE TWO	Mon 5/5/14	Mon 11/3/14
188			
189	PRECONSTRUCTION - PHASE TWO	Tue 6/23/15	Fri 12/30/16
201			
202	CONSTRUCTION - PHASE TWO	Mon 1/2/17	Fri 1/25/19

Exhibit C
PDD Submission / HUD Challenge Grant Budget

Exhibit A – Church Street South PDD / Challenge Grant Budget

Category	Total	Northland	HUD Grant
Architectural-Engineering Design PDD	\$ 500,000	\$ 400,000	\$ 100,000
Utility Investigation	\$ 80,000	\$ 40,000	\$ 40,000
Infrastructure Street/Traffic Planning	\$ 150,000	\$ 25,000	\$ 125,000
Project Coordination Expenses	\$ 175,000	\$ -	\$ 175,000
Market Study	\$ 50,000		\$ 50,000
Environmental Studies	\$ 75,000	\$ 50,000	\$ 25,000
Survey Work	\$ 50,000	\$ 50,000	\$ -
Human Capital Planning / Implementation	\$ 275,000	\$ -	\$ 275,000
Green Design Standards	\$ 35,000	\$ -	\$ 35,000
TOD Development Requirements & Summary Report	\$ 50,000	\$ -	\$ 50,000
Legal Expenses	\$ 110,000	\$ 60,000	\$ 50,000
Misc (Administrative Fees/ Printing/ Travel/ Etc)	\$ 50,000	\$ 25,000	\$ 25,000
Projected CSS Project Budget	\$ 1,600,000	\$ 650,000	\$ 950,000

* Budget includes deliverables for HUD Challenge Grant.

Exhibit D
Workforce and Utilization Requirements

In carrying out the provisions of this Agreement, Northland shall comply with, or require that its general contractor for the Project comply with, all applicable City workforce requirements and small contractor utilization requirements now and hereafter existing, including, without limitation, all Equal Employment Opportunity requirements and Small Business Construction Initiative requirements and in particular, during the carrying out of the Project, Northland agrees to, or require its general contractor:

- (A) to comply with all provisions of Executive Order 11246 and Executive Order 11375, Connecticut Fair Employment Practices Act and Chapter 12 1/2, the contract compliance ordinance of the City of New Haven, including all standards and regulations which are promulgated by the government authorities who established such acts and requirements, and all standards and regulations are incorporated herein by reference, including 24 CFR Part 135, Davis Bacon Act & Related Acts (40 USC §276a; 29 CFR 1, 3, 5, 6 and 7), Copeland Act (18 USC §874 and 40 USC §276c; 29 CFR 3), 40 U.S.C. Section 327 et seq 29 CFR5, Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, the Americans with Disabilities Act, and the Equal Pay Act. Under Title VII (N-915.040), Immigration and Reform and Control Act of 1986 (IRCA) (8 USC 1101 as amended) Immigration and Nationality Act, Section 274A, FLSA's recordkeeping Regulations, 29 CFR Part 516. State of Conn. General Statutes Section 31-53, State of Conn. P.A.97-263, Sec. 31-51d-5. Standards of apprenticeship;
- (B) not to discriminate against any employee or applicant for employment because of race, color, religion, age, sex, physical disability or national origin, Northland shall take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to race, color, religion, age, sex, physical disability or national origin, and such action shall include, but not limited to, employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of any or other forms of compensation, and selection for training, including apprenticeship;
- (C) to post, in conspicuous places available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause;
- (D) to state, in all solicitations or advertisements for employees placed by or on behalf of Northland, that all qualified applicants will receive consideration for employment without regard to race, color, religion, age, sex, physical disability or national origin; to utilize the only City-sponsored workforce program (Construction Workforce Initiative 2) as a source of recruitment; and to notify the City of New Haven Commission on Equal Opportunities of all job vacancies;
- (E) to send to each labor union or representative of workers with whom Northland has a collective bargaining agreement, or other contract or understanding, a notice advising the labor union or

worker's representative of Northland's commitments under the equal opportunity clause of the City of New Haven, and to post copies of the notice in conspicuous places available to employees and applicants for employment, and Northland shall register all workers in the skilled trades, who are below the journeyman level, with the Apprentice Training Division of the Connecticut State Labor Department;

- (F) to comply with the provisions of City of New Haven Ordinance 12 1/4-9, which requires that all construction contractors aggressively make every effort to obtain twenty five (25%) percent overall Minority Business Enterprise ("MBE") utilization for subcontracting. Northland acknowledges that for the purposes of this Agreement and the goals of the City of New Haven the definition of MBE is persons having origins in Black African and Hispanic racial groups; that failure to achieve the twenty five (25%) percent MBE goal will require documentation of good faith efforts to achieve the utilization goal; and that the good faith efforts will be evaluated, verified and recognized by the Small Construction Business ("SCB") office if a contractor has accomplished at least four (4) of the following: (1) placing advertisements in at least two local newspapers, (2) placing advertisement in one minority publication, (3) mailing notices to development agencies, (4) placing notice with the SCB office and the New Haven Contractors' Alliance, (5) showing proof of outreach to and collaboration with the New Haven Contractors' Alliance, (6) showing proof of quotes received from subcontractors, and (7) undertaking other efforts undertaken to encourage MBE participation as determined in advance by the SBC office;
- (G) to aggressively make every effort to obtain twenty-five (25%) percent Small Business Enterprise ("SBE") utilization for subcontracting. Northland acknowledges that for the purposes of this Agreement and the goals of the City of New Haven that the meaning of SBE shall be as defined in City of New Haven Ordinance 12 1/4-3; that failure to achieve the twenty five (25%) percent SBE goal will require documentation of good faith efforts to achieve the utilization goal; and that the good faith efforts will be evaluated, verified and recognized by the SBC office if a contractor has accomplished at least four (4) of the following: (1) placing advertisements in at least two local newspapers, (2) placing advertisement in one minority publication, (3) mailing notices to development agencies, (4) placing notice with the SBI office and the New Haven Contractors' Alliance, (5) showing proof of outreach to and collaboration with the New Haven Contractors' Alliance, (6) showing proof of quotes received from subcontractors, and (7) undertaking other efforts undertaken to encourage SBE participation as determined in advance by the SBC office;
- (H) to ensure equal opportunities for construction and construction related small and minority contractors by instructing Northland's general contractor to notify the Small Business Initiative of all contracting opportunities; by allowing such information to be distributed to contractors via fax and email; and by holding a workshop detailing the Project and the contracting opportunities with the New Haven Contractors' Alliance (provided that the New Haven Contractors' Alliance works with the general contractor to hold such workshop) it being agreed and understood that a monthly utilization report shall be submitted to the SBC office.

- (I) to comply with Northland's obligation for increasing the utilization of minority contractors, by working in conjunction with the Small Construction Business Initiative to implement mentoring partnerships providing management, technical, and developmental training skills through sub-contracting opportunities;
- (J) to furnish all information and reports required by the City Contract Compliance Director pursuant to section 12-1/2-19 through section 12-1/2-32 of the City's Code of General Ordinances and to permit access to Northland's books, records and accounts by the contracting agency, the City Contract Compliance Director, and the City Secretary of Labor for purposes of investigations to ascertain compliance with the program;
- (K) to file, along with its construction subcontractors, if any, compliance reports with the City in the form and to the extent prescribed in this Agreement by the City Contract Compliance Director and to file compliance reports at such times as directed which shall contain information as to the employment practices, policies, programs and statistics of Northland and its subcontractors, if any;
- (L) to comply, as a United States employer, with the Immigration and Naturalization Service (INS)'s I-9 verification process, which requires employers to confirm the employment eligibility of workers. Northland acknowledges that an employer can be fined or otherwise sanctioned for knowingly hiring an undocumented worker; that the I-9 forms also provide employers with a "good faith" defense if they hire someone who later turns out to be working illegally in the United States; and that the City Commission on Equal Opportunities will monitor and report of any alleged violations of the I-9 verification process to the proper authorities;
- (M) to acknowledge that a finding, as hereinafter provided, of a refusal by Northland, or subcontractor, to comply with any portion of this program as herein stated and described, may subject the offending party to any or all of the following penalties:
 - (i) refusal of all future bids for any public contract with the City of New Haven, or any of its departments or divisions, until such time as Northland, or subcontractor, is in compliance with the provisions of this Agreement;
 - (ii) cancellation of this Agreement;
 - (iii) recovery of specified monetary penalties;
- (N) to comply with Northland's obligation that Section 3 of the HUD Act of 1968 applies to contracts in excess of \$200,000 or where contracts to contractors are in excess of \$100,000 in which any HUD funds are utilized for construction, renovation and rehabilitation activities, including lead paint, regardless of ownership. Such HUD-assisted contracts must contain Section 3 provisions with respect to employment and other economic opportunities, withholding funds from sub-recipients to ensure compliance with Section, and termination of contract of debarment for failure to adhere to the requirement provision. The work to be performed under this contract is subject to the

requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low and very low-income persons, particularly persons who are recipients of HUD assistance for housing;

- (O) to comply with Northland's obligation that each contractor and construction subcontractor hire the following groups, in correspondence to the following percentages of total hours completed on the Project: twenty-five percent (25%) worked by minorities; six and nine-tenths percent (6.9%) worked by females; thirty percent (30%) completed in compliance with Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3), twenty-five percent (25%) residents of the City of New Haven, and fifteen percent (15%) worked by apprentices provided that fifty percent (50%) of apprentice hours must be worked by first-year apprentices.
- (P) to include the provisions of sub-paragraphs (A) through (P) of this Section 6.5 in every subcontract or purchase order so that said provisions will be binding upon each such subcontractor or vendor;
- (P) to take such action, with respect to any subcontractor, as the City may direct as a means of enforcing the provisions of sub-paragraphs (A) through (P) herein, including penalties and sanctions for noncompliance and fines and penalties related to the rules of practice enforced by the City Commission on Equal Opportunities or the Small Business Initiative, whichever is applicable, provided however that, in the event Northland becomes involved in or is threatened with litigation as a result of such direction by the City, the City will intervene in such litigation to the extent necessary to protect the interest of the City and to effectuate the City's Equal Employment Opportunity program.



January 13, 2012

Mr. Peter Standish
Senior Vice President – Acquisitions/Development/Commercial Management
Northland Development Corporation
2150 Washington Street,
Newton, MA 02462

Re: Church Street South Revitalization

Dear Mr. Standish:

Since May 31, 2011 the City, HANH and Glendower have, in good faith, attempted to agree with Northland on a Conceptual Master Plan to redevelop the Church Street South complex into a vibrant mixed-use, mixed-income community. Despite efforts by all parties, it appears unlikely that we will be able to agree upon a form of Corporation Agreement in accordance with the schedule established in the Memorandum of Understanding that will allow us to move this project forward.

Based upon our inability to reach consensus of how to advance this project, then it might make sense to simply terminate immediately, in accordance with the provisions of Section 4 of the Memorandum of Agreement.

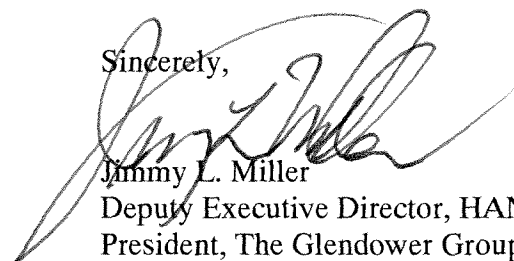
While the City and HANH have outlined our critical issues before, please let this letter serve as our final attempt to make substantive progress in addressing the City's and HANH's outstanding issues with the Church Street South redevelopment plans that have been presented to date. The main issues as we see them are outlined below.

- The total number of residential units to be developed;
- The number of units that will be available to those Church Street South residents who want to return to the new development once the new units have been constructed;
- The number and size of the larger bedroom units to be developed on the site;
- The amount, location and function of green space to be developed as part of the plan;


- The lack of a detailed cost estimate of the proposed utilities and infrastructure to the Project as set forth in Section 5(d) of the MOU;
- Information of how Northland intends to secure tenants and financing for the commercial/retail components of the project;
- Northland's unwillingness to cooperate with the City, HANH and Glendower in our efforts to obtain approval from the U.S. Department of Housing and Urban Development to obtain budget based rent increases that would facilitate the relocation of existing residents; and
- Northland's unwillingness to obtain assistance from a qualified consultant or technical assistance provider to help manage the proposed modifications to existing HAP contract and other project financing needs.

We look forward to receiving your response to this letter. We are hopeful that Northland's response is of a nature that provides us with the assurances needed to continue to dedicate City, HANH and Glendower resources in an effort to move this project forward.

Sincerely,



Jimmy L. Miller
Deputy Executive Director, HANH
President, The Glendower Group, Inc.



Erik Johnson
Executive Director, LCI
City of New Haven

CHURCH STREET SOUTH APARTMENTS
34 C CINQUE GREEN
NEW HAVEN, CT 06519
TEL. (203) 562-2014 - FAX- (203) 562-4919

LEGAL ADDENDUM

Attorney's fees, court costs and Marshal Fees:

In the event that the Landlord should take steps such as the issuance of a lease violation notice, or a notice to quit, or commence a suit for the possession of the premises, for the recovery of a sum due under this Lease, or because of the breach of any provisions of this Lease, or for any other relief against Tenant hereunder, or in the event that Tenant shall bring any action for any relief against Landlord arising out of this Lease, then as additional items of damage all costs and expenses, including reasonable attorney's fees, uncured may be awarded to the prevailing party herein shall prevent the Landlord from accepting payment from the tenant for reimbursement for court filing fees, Marshal fees or reasonable attorney's fees from tenants who wish to avoid or settle an eviction matter.


Resident Signature

12/15/15
Date


Landlord Representative

12/15/15
Date

CHURCH STREET SOUTH APARTMENTS
34 C CINQUE GREEN
NEW HAVEN, CT 06519
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Resident Signature

5-23-13
Date


Landlord Representative

5/23/13
Date

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34 C CINQUE GREEN
NEW HAVEN, CT 06519
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Resident Signature

6-11-15
Date


Landlord Representative

6/11/15
Date

CHURCH STREET SOUTH APARTMENTS
34 C CINQUE GREEN
NEW HAVEN, CT 06519
TEL. (203) 562-2014 - FAX- (203) 562-4919

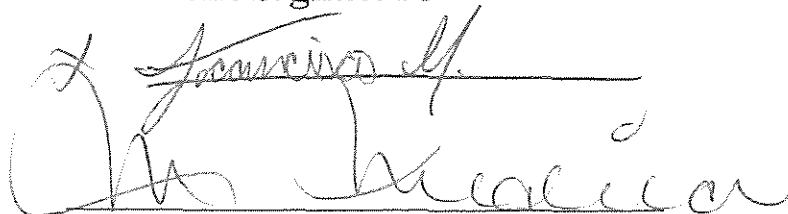
LEGAL ADDENDUM



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Resident Signature


Date


Landlord Representative

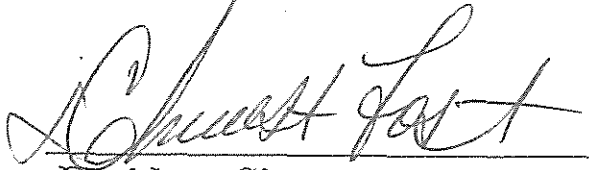


Date

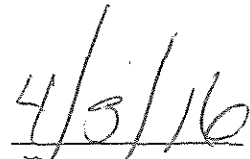
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Resident Signature


Date


Landlord Representative


Date

Exhibit T

Memo: Regarding Norland Investments, Inc. as Landlord

From: Dolores Colon, Board of Alders, New Haven, CT

Date: February 14, 2018

I have been the local elected official in Ward 6 since January 1, 2002. For all of the many years that I have served as alder, the residents of the Church St. Complex have been, disrespected, neglected, exploited, exposed to dangerous living conditions that are comparable to conditions found underdeveloped countries in dismal corners of the world.

Causes of these conditions are the antiquated plumbing and electrical systems as well as the very old and dilapidated flat roofs that are on top of the many buildings that make up the complex. I dare to say that all of these systems were original to the buildings since they were constructed over 50 years ago (mid to late 1960 urban renewal projects). Residents complained to me continually about toilets overflowing, sewage coming out of kitchen sinks and the same coming down into apartments from the apartments above their units due to faulty plumbing in the units above them.

The flat roofs allowed water to sit on the roofs melting and freezing over the course of many winters and over the years this caused water to leak into the to the apartments closest to the roofs. On some occasions the water made it through to lower units as well. When water is constantly coming down walls mold and mildew grow and become health problems. As a result, complex is known as Asthma Central. Very few of the residents had no respiratory ailments, but the most severely affected were the very young and the senior citizens of the complex. Complaints were made to the Management Office of the complex asking for repairs, but the responses from the (I think, the DeMarco Property Management Co.) were slow and often did not resolve issues. Repairs, if completed, were superficial and not long lasting. The equivalent of "Handy Men," no licensed plumbers or electricians, were usually sent to make repairs. The Handy Men usually said that they had to go and get a certain tool or part, then would leave and not return. It was obvious that Northland did not want to make the financial decision to bring the buildings up to code. The root causes of the problems were that the roofs, plumbing and electrical systems had to be totally replace to be brought up to code. Interior mold and mildew on interior walls was bleached, then painted over. But the sheetrock was never removed to get behind the walls to eliminate the source of the growing and constant problem, so it would come back time after time.

Finally, the walkways and pseudo sidewalks were unsafe to walk on, by Americans with Disabilities guidelines. The asphalt replacement on the premises retained rainwater to the point that garbage and debris filled them and were a perfect long term breeding ground for mosquitos and countless germs in the summer and dangerous icy patches one had to deal with while walking around the complex.

About 6 to 7 years ago, there were several residents exposed to Carbon Monoxide poisoning. This came about due to shoddy installations of gas heating furnaces and almost no record of regular maintenance. Residents had to be evacuated from their homes until repairs were made. And a few of them had to be hospitalized for several days due to their exposure to harmful fumes. After this incident, we had several community meeting with representatives from Northland Investments, Inc. regarding maintenance

issues. Peter Standish was spokesperson, for most of the entire meeting giving information and later fielding questions from those attending. At one of the first meetings he informed his audience that there was a plan to demolish the current complex in phases over a period of time and that if residents still qualified for their rental subsidies, they would be allowed to come back to the site. That never came to pass because the plans that were revealed to the alders of the Hill at the time, Ms. L. James of Ward 3, Ms. A. Jackson-Brooks of Ward 4, Mr. J. Perez of Ward 5 and myself did not agree on the new Housing Complex, concepts that were presented for our approval. They were interested in abandoning three and four bedroom apartments and introducing many one bedroom and "Efficiency" (as in studio) apartments. The largest units would have had a maximum of two bedrooms. Many of the families in the current complex require the larger bedroom units.

It is obvious that the Norland Investment Group was trying to cater to a different type of resident to fill future complex. I speculate that the proximity to the New Haven Metro North/Amtrak station across the street gave them visions of making the new Church Street South, a bedroom community for professionals who work in either New York City or Boston and who may have a spouse who work in the Medical area of New Haven, (a short walk away) or for one of the many universities in New Haven.

Dolores Colon
Alder for Ward 6

DOCKET NO.: X10-UWY-CV-16-6033559-S

PERSONNA NOBLE, ET AL.	:	SUPERIOR COURT
	:	
V.	:	COMPLEX LITIGATION DOCKET
	:	AT WATERBURY
NORTHLAND INVESTMENT	:	
CORPORATION, ET AL.	:	February 14, 2018

AFFIDAVIT OF DAVID N. ROSEN

David N. Rosen, being first duly sworn, deposes and says:

1. I am lead counsel for the plaintiffs in this case. My credentials and background are summarized on the attached cv.
2. The cases listed on the cv that bear most directly on my appropriateness as counsel for the plaintiff class in this case include, in chronological order, the following:

Roe v. Norton, in which I was appointed by Judge Newman to represent the class of children of women on welfare in a civil rights case.

Association Against Discrimination in Employment v. City of Bridgeport, a class action employment discrimination case in which I represented the plaintiffs. I have also been plaintiffs' counsel in class action employment discrimination cases against the cities of Stamford and New Haven, the Connecticut State Police, and the Connecticut Department of Correction (in two cases, the first for race discrimination and the second for sex discrimination).

Grimes v. New Haven Housing Authority, a personal injury case arising out of conditions in a low-income housing project. The legal issues in the case involved the interaction of individual claims and class actions.

Valley Housing LP v. City of Derby, a suit under the Fair Housing Act and Americans with Disabilities Act against a municipality for unlawfully barring a proposed housing development. Judge Fitzsimmons ruled on the fee application in that case, and I refer the Court to her extended and generous assessment of my work. *See* 2012 WL 1077848 at *3-*5 and *8-*9.

3. Our firm includes two other attorneys, Barbara Goren and Alex Taubes. Ms. Goren has been an attorney since 1982. She graduated from Yale College *magna cum laude* and Yale Law School. Mr. Taubes has been an attorney since 2016. He graduated from Boston University *summa cum laude* and Yale Law School. Before attending law school he was a reader for Judge David S. Tatel on the United States Court of Appeals for the D.C. Circuit.
4. Our firm has four legal assistants: Shelley Adkins, who has worked with us for 40 years, Anna Maria Irizarry, who has worked with us for 16 years; and two newer colleagues: Kelly Yodanis, a graduate of Middle Tennessee State University who has worked with us for one year and Marley Connor, a Spanish-English translator and legal assistant who is a graduate of Lynchburg College and whom we hired to work on this case.
5. Additionally, Attorneys Michael Sheehan and Allison Murray Near of Sheehan, Reeve & Near are working with us as co-counsel for the plaintiffs. Mr. Sheehan has been an attorney since 1976. He graduated from the College of the Holy Cross *cum laude* and from Boston University Law School *cum laude*. Ms. Near has been an attorney since 2004. She graduated from Colgate University *cum laude* in and from Northeastern University School of Law.

6. Attorneys thus far have spent approximately 1,000 hours on behalf of the plaintiffs and the class, and legal assistants have spent somewhat more than 3,500. We are committed to doing whatever it takes to provide the high-quality representation the individual plaintiffs and class members are entitled to.

Dated at New Haven, Connecticut this 14th day of February, 2018.



David N. Rosen

STATE OF CONNECTICUT)
)
COUNTY OF NEW HAVEN) SS: New Haven

Subscribed and sworn to before me this 14th day of February, 2018.



~~Commissioner of the Superior Court/~~
Notary Public

Sarena Boulter
Notary Public
My Commission Expires
January 31, 2022



CURRICULUM VITAE

DAVID N. ROSEN

EMPLOYMENT Since 1970 principal of David Rosen & Associates and predecessor firms, New Haven, Connecticut, specializing in complex state and federal litigation, including trials and appeals.

1969-70

New Haven Legal Assistance
Association Staff Attorney, Reginald
Heber Smith Fellow

EDUCATION Harvard College, Cambridge, Massachusetts
B.A. *magna cum laude* and Phi Beta Kappa, 1965
Honorary Harvard College and John Harvard
Scholarships and Detur Prize.

London School of Economics, London,
England Honorary Woodrow Wilson
Fellow, 1965-1966

Yale Law School, New Haven,
Connecticut LL.B 1969
Member of Editorial Board, *Yale Law Journal*

TEACHING Tutor in Law, Yale Law School (Constitutional Law), 1969-70.
Visiting Lecturer in Law, Yale Law School (Antidiscrimination Law), 1981,
1982, 1983, 1986, 1988
Senior Research Scholar, Yale Law School, 1999-2005

Visiting Lecturer, Yale Law School, 2010- present (Educational Adequacy
Project) Lecturer, Yale University School of Medicine, Child Study Center,
1982-present. Many lectures and presentations to law school classes and
continuing legal education programs in the areas of trial and appellate
litigation.

**SELECTED
REPORTED
CASES**

Briscoe v. City of New Haven, 654 F.3d 200 (2d Cir. 2011), *cert denied*, 132 S. Ct. 2741 (2012) (Title VII case on behalf of African American firefighter)

Valley Housing LP v. City of Derby, 802 F. Supp. 2d 359 (D. Conn. 2011) (Fair Housing case on behalf of non-profit developer)

FAIR v. Rumsfeld, 544 U.S. 1017 (2005) (freedom of association; academic freedom)(amicus brief on behalf of Yale Law School professors).

Rumsfeld v. Padilla, 542 U.S. 426 (2004) (rights of alleged enemy combatants) (amicus brief on behalf of comparative law scholars and experts on the laws of Israel and the United Kingdom).

Cowan v. Breen, 352 F.3d 756 (2d Cir. 2003). Counsel for victim of police homicide in Section 1983 case rejecting defense claim of qualified immunity.

Jacobs v. Yale University, 2000 Conn. Super. LEXIS 2562. Post-trial and appellate counsel for plaintiffs in medical malpractice case involving Connecticut's then- largest verdict for personal injuries.

Grimes v. Housing Authority of the City of New Haven, 242 Conn. 236, 244 (1997), counsel for plaintiff in personal injury case involving tolling of statute of limitations for individual claims in a putative class action.

United States v. Colon Osorio, 801 F. Supp. 966 (D. Conn. 1992). As court-appointed counsel, represented defendant in case holding the jury selection system for the District of Connecticut unconstitutional.

Ansonia Board of Education v. Philbrook, 479 U.S. 60 (1986). Briefed and argued religious discrimination case in the United States Supreme Court.

Alston v. Manson, 791 F.2d 255 (2d Cir. 1986), *cert. denied*, 479 U.S. 1084 (1987). Briefed and argued case holding Connecticut's state court jury selection system unconstitutional.

Association Against Discrimination in Employment v. City of Bridgeport, 594 F.2d 306 (2d Cir. 1979); 647 F.2d 256 (2d Cir. 1981), *cert. denied*, 455 U.S. 988 (1982); 710 F.2d 69 (2d Cir. 1983). Counsel for plaintiffs in class-action suit granting broad hiring and monetary relief to minorities challenging their exclusion from a municipal fire department.

Roe v. Norton, 422 U.S. 391 (1975)*. Briefed and argued welfare rights case in the United States Supreme Court.

In re Grusse, 402 F. Supp. 1232, 1236-37 (D.Conn.), *aff'd*, 515 F.2d 157 (2d Cir. 1975)*. Counsel for grand jury witness incarcerated for refusing to provide information about harboring a fugitive

State of Connecticut v. Bobby Seale (1970-71)*. Co-counsel for Chairman of the Black Panther Party in New Haven, Connecticut murder trial.

*Cases marked with * were the subject of books or book chapters.

**PAST AND
CONTINUING
ACTIVITIES**

Member, Executive Committee, Federal Practice Section,
Connecticut Bar Association, Co-chair 2008-2010
Court appointed member of District Court committee on reform
of jury selection procedures.
Court appointed member of United States Magistrate Judge selection
committee. Court appointed Special Master mediating civil cases in United
States District Court.
Court appointed member of Civil Justice Advisory
Group for the District of Connecticut
Board of Directors, Connecticut Veterans Legal Center (Founding
Board Chair) Board of Directors, New Haven Legal Assistance
Association, 1977-1997 Board of Directors, Joseph Slifka Center for
Jewish Life at Yale, 1996-2013
Fellow, International Association of Trial Lawyers
Fellow, American Board of Trial Advocates
Fellow, American College of Trial Lawyers

OTHER

Author of book chapter, "Testifying in Court," in M. Lewis, Ed., Child and Adolescent Psychiatry, a Comprehensive Textbook, 1st, 2d and 3d editions, Williams & Wilkins, 1996-2001.

Author of book chapter, "Rhetoric and Result in the Bobby Seale Trial," in P. Brooks and P. Gewirtz, Eds., "Law's Stories," Yale Press 1996.

Author of "Remodeling *McDonnell Douglas: Fisher v. Vassar College* and the Structure of Employment Discrimination," 17 Quinnipiac L. Rev. 725 (1998) (with J. Freiman)

Author of Note, "Counseling Draft Resistance: The Case for a Good Faith Belief Defense," 78 *Yale L.J.* 1008 (1969) (with A. Capron).